



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> March 1, 2013	<b>CONTACT/PHONE</b> Kerry Brown, Project Planner (805) 781-5713	<b>APPLICANT</b> Morro Coast Audubon Society	<b>FILE NO.</b> DRC2011-00013
<b>LOCAL EFFECTIVE DATE</b> March 15, 2013	<b>APPROX FINAL EFFECTIVE</b> April 15, 2013		
<b>SUBJECT</b> Request by Morro Coast Audubon Society (MCAS) for a Minor Use Permit / Coastal Development Permit to implement public access improvements at East Sweet Springs connecting the site (with trails) to the Central Sweet Springs Nature Preserve. The project includes an accessible trail and boardwalk system including interpretive elements guiding visitors to a prominent lookout point along the shoreline of the estuary. The trail will include one linear main line constructed of a combination of decomposed granite and elevated wooden or composite boardwalk (from the entrance to the bay overlook). Two spur trails leading from the Pond Loop trail to the north and south of the pond on the Central Sweet Springs preserve will connect the main line to the eastern section. One small loop trail will be included near the middle of the main line to provide a resting area. The main line trail will be five feet in width. The project will result in 6,500 square feet of ground disturbance on an 8.3 acres site. The project is located on the north side of Ramona Street between Broderson Avenue and 4th Street, in the community of Los Osos, in the Estero planning area.			
<b>RECOMMENDED ACTION</b> 1. Adopt the Mitigated Negative Declaration (ED12-039) in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Minor Use Permit DRC2011-00013 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 27, 2012 for this project. Mitigation measures are proposed to address aesthetics, biological resources, public services/utilities and transportation/circulation and are included as conditions of approval.			
<b>LAND USE CATEGORY</b> Open Space and Residential Single Family	<b>COMBINING DESIGNATION</b> Archaeological Study Area, Coastal Access Area, Flood Hazard, Local Coastal Plan Area, Sensitive Resource Area, Wetlands	<b>ASSESSOR PARCEL NUMBER</b> 074-229-009	<b>SUPERVISOR DISTRICT(S)</b> 2
<b>PLANNING AREA STANDARDS:</b> <b>Height Limitations</b> Does the project meet applicable Planning Area Standards: Yes - Not applicable			
<b>LAND USE ORDINANCE STANDARDS:</b> <b>Appeals to the Coastal Commission (Coastal Appealable Zone).</b> Does the project conform to the Land Use Ordinance Standards: Yes - see discussion			
<b>FINAL ACTION</b> This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

EXISTING USES: Open space with perimeter fencing	
SURROUNDING LAND USE CATEGORIES AND USES: North: Estero Bay East: Residential Single Family; single family residences South: Residential Multi Family; undeveloped West: Area of deferred certification (Coastal Commission jurisdiction); Morro Coast Audubon Society Sweet Springs Nature Preserve	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Los Osos Community Advisory Council, Public Works, Los Osos Community Services District, and the California Coastal Commission	
TOPOGRAPHY: Nearly level	VEGETATION: Eucalyptus Woodland, Monterey Cypress, Non-native Perennial Grassland, Maritime Chaparral, Coastal Scrub
PROPOSED SERVICES: Water supply: None Sewage Disposal: Not applicable Fire Protection: Cal Fire	ACCEPTANCE DATE: October 15, 2012

**DISCUSSION****Background:**

Morro Coast Audubon Society owns and manages the Sweet Springs Nature Preserve. Sweet Springs is a 24 acre Nature Preserve which provides public access, educational programs, and a monitoring and management of the flora and fauna at the site. In 2008, Sweet Springs East was purchased by the Trust for Public Land with funding for the acquisition provided by California State Coastal Conservancy, the National Coastal Wetlands Conservation Grant (USFWS), 2004 Section VI Recovery Land Acquisition Grant (USFWS), 2002 Section VI Recovery Land Acquisition Grant (USFWS), and the California Wildlife Conservation board. The Trust for Public Land transferred the property over to the Morro Coast Audubon Society to manage with the Central Sweet Springs Preserve. Deed restrictions were placed on the property, restricting the use of the property to the following uses: plant and wildlife habitat preservation, restoration and management, wildlife-oriented education and research, and public access. Sweet Springs Nature Preserve is now made up of three areas: West Sweet Springs, Central Sweet Springs, and East Sweet Springs. West Sweet Springs is fully protected and public access is discouraged as it is a salt marsh, Central Sweet Springs allows managed public access and habitat preservation, and East Sweet Springs is proposed to allow public access and habitat enhancement and preservation.

Vegetation on the site includes non-native grassland, Eucalyptus woodland, emergent wetland, saltwater marsh, and coast live oak. Two drainages border the property on the east and west. MCAS initially proposed removal of approximately 100 Eucalyptus trees at the site. This portion of the project was removed for further study regarding potential impacts to Monarch butterflies.

**Project Description**

Morro Coast Audubon Society (MCAS) is proposing to implement public access improvements at East Sweet Springs and connect the site (with trails) to the Central Sweet Springs Nature Preserve. The project includes an accessible trail and boardwalk system including interpretive elements guiding visitors to a prominent lookout point along the shoreline of the estuary. The

trail will include one linear main line constructed of a combination of decomposed granite and elevated wooden or composite boardwalk (from the entrance to the bay overlook). Two spur trails leading from the Pond Loop trail to the north and south of the pond on the Central Sweet Springs preserve will connect the main line to the eastern section. One small loop trail will be included near the middle of the main line to provide a resting area. The main line trail will be five feet in width. The project also includes a bike rack (bicycles will not be allowed on the preserve), an ADA parking space, a small shed and a 3,000 gallon water tank; all located at the entrance of the preserve.

## **PLANNING AREA STANDARDS:**

### **Bayfront Development**

#### **1. Height**

Proposed structures are limited to a maximum height of 14 feet (within area mapped in Figure 7-41).

*This project complies with this standard; the height of the proposed water tank and shed are approximately 8 feet and 10 feet 6 inches in height respectively.*

## **LAND USE ORDINANCE STANDARDS:**

### **Section 23.01.043c.(1): Appeals to the Coastal Commission (Coastal Appealable Zone)**

The project is appealable to the Coastal Commission because the subject parcels are located between the sea and the first public road paralleling the sea.

### **Section 23.07.060: Flood Hazard Area**

The project site is adjacent to the Morro bay estuary. A portion of the proposed project's trails are located within the Flood Hazard area; however trails are not subject to the flood hazard standards.

### **Section 23.07.104: Archaeologically Sensitive Areas**

The project site is within a mapped Archaeologically Sensitive Area. Before issuance of a land use or construction permit for development within an archaeologically sensitive area, a preliminary site survey shall be required.

*A Phase I (surface) survey was conducted (Bertando and Bertrando, October 2009). Prehistoric cultural material, including marine shell, bone, and fire affected rocks and chipped stone debris were observed over most of the parcel. The proposed public access improvements have the potential to impact cultural resources at the site. Monitoring is required as part of the project to mitigate any impacts to the resource.*

### **Section 23.07.120: Local Coastal Program**

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

### **Sections 23.07.160, 172, 176: Sensitive Resource Area and Wetlands**

The project site is largely mapped as a sensitive resource area with wetlands. Design measures have been incorporated into the project to limit the potential impacts on these sensitive areas by:

- Routing trails so that they minimize impacts
- Closing informal trails and re-vegetating them
- Usage of signs to discourage informal trail construction
- Construction of a "floating" boardwalk to minimize soil disturbance.

The proposed overlook and portions of the boardwalk are located within areas designated Wetlands and within the Wetland setback. These uses are allowed; Section 23.07.166bii allows coastal accessways and nature trails within this area and 23.07.172d(1) allows passive recreation and educational uses within the wetland setback.

## COASTAL PLAN POLICIES:

### **Shoreline Access**

**Policy 2:** New Development. Maximum public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development.

*The proposed project complies with this policy, as the proposed projects will not interfere with public access to the beach or the ocean. The project will install a viewing platform that overlooks the shoreline and provide shoreline access to the public.*

### **Recreation and Visitor Serving**

**Policy 1:** Recreation Opportunities. Coastal recreational and visitor-serving facilities, especially lower-cost facilities, shall be protected, encouraged and where feasible provided by both public and private means.

*The proposed project complies with this policy, as the project will increase access to the public for visitor-serving activities. The proposed ADA trail and sign system will enhance the public's ability to traverse the property.*

### **Environmentally Sensitive Habitats**

**Policy 1:** Land Uses Within or Adjacent to Environmentally Sensitive Habitats. New development within or adjacent to locations of environmentally sensitive habitats (within 100 feet unless sites further removed would significantly disrupt the habitat) shall not significantly disrupt the resource. Within an existing resource, only those uses dependent on such resources shall be allowed within the area.

*This project complies with this policy because it will not disrupt resources on the site through installation or use of access improvements. Impacts associated with the project are minimized.*

**Policy 2:** Permit Requirement. As a condition of permit approval, the applicant is required to demonstrate that there will be no significant impact on sensitive habitats and that proposed development or activities will be consistent with the biological continuance of the habitat. This shall include an evaluation of the site prepared by a qualified professional which provides: a) the maximum feasible mitigation measures (where appropriate), and b) a program for monitoring and evaluating the effectiveness of mitigation measures where appropriate.

*The proposed project complies with this policy, potential impacts due to the proposed project were identified and mitigation measures are incorporated into the project.*

**Policy 8:** Principally Permitted Use. Principally permitted uses in wetlands are as follows: hunting, fishing and wildlife management; education and research projects.

*The proposed project complies with this policy; the project will provide educational opportunities at the site.*

### **Visual and Scenic Resources**

**Policy 1:** Protection of Visual and Scenic Resources. Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive



habitats are to be preserved, protected, and in visually degraded areas restored where feasible.

*The proposed project complies with this policy; deed restrictions ensure that long term protection of this unique and sensitive area.*

### **Archaeology**

**Policy 4:** Preliminary Site Survey for Development within Archaeologically Sensitive Areas.

Development shall require a preliminary site survey by a qualified archaeologist knowledgeable in Chumash culture prior to a determination of the potential environmental impacts of the project.

*The proposed project complies with this policy, as the Morro Coast Audubon Society has conducted numerous archaeological investigations to identify and protect sensitive cultural resources and sites, and has determined that with proper mitigation the project's impacts can be reduced to the greatest extent possible. Rerouting of trails away from archaeological sensitive areas, a data recovery plan, and monitoring of construction have been implemented into project design. In the event that cultural resources are discovered during construction, all construction activities shall halt, as conditioned in Exhibit B.*

**Does the project meet applicable Coastal Plan Policies:** Yes, as conditioned

ENVIRONMENTAL DETERMINATION: A Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act was issued on December 27, 2012 (see attached). Staff received a comment letter from Save the Park. Save the Park is concerned with the adverse impacts associated with the implementation of the Morro Shoulderband snail recovery plan and the need for a comprehensive Management of Plan for the East Sweet Springs. Their letter is attached and specific issues summarized below with staff's comments.

1. Environmental approvals should promote comprehensive, multi-species resource protection. They should also reference the value of the site as an aesthetic resource to the Los Osos community.

*The proposed project is to implement public access improvements. The Initial Study outlines the proposed project impacts and proposes mitigation measures to reduce any impacts. Aesthetic impacts were evaluated in the context of public access improvements.*

2. The Audubon group should be restrained from removal of understory or trees that do not have the maturity and size that would require a use permit. The mitigations should directly state that there may not be removals of vegetation outside of the construction area.

*The scope of the project is to implement public access improvements; understory (non-native) removal and ongoing restoration activities at the site are not subject to County authorization and therefore the County cannot restrain MCAS from these actions. Impacts, including vegetation removal, associated with the proposed access improvements have been evaluated in the Negative Declaration. Impacts associated with actions outside the evaluated project are beyond the scope of the Negative Declaration and the proposed minor use permit.*

3. The Audubon Chapter should be required to prepare an update of the Sweet Springs Management Plan before any additional site development proposals are presented for County approval. The process for the preparation of the updated Management Plan should be open to public review and the County should formally consider and adopt its proposals.

*Save the Park may have issues with management of Sweet Springs; however the preparation of an updated Management Plan is not required or subject to County approval unless specific actions or projects (outlined within the Management Plan) require a Coastal Development Permit.*

Staff received three comment letters from Marie Smith. The first specifically questioned the County's Environmental Determination, that it was not in-depth. Ms. Smith highlighted notes from the County's parcel screen that outlined the need for an Environmental Impact Report for the project.

*The notes were regarding a previous proposal to subdivide the site and staff's preliminary observations that there may be a potential for significant impacts. The current project is to provide public access and related improvements; and the County evaluated this project, and found that the project will not have a significant impact on the environment.*

The second comment letter referenced four subjects and specifically references the Initial Study (prepared for the project). The first subject concerns the Aesthetic section of the Environmental Determination. Ms. Smith believes the Aesthetics section does not adequately address both the existing setting and the proposed project. The kiosks, entrance, interpretive panels, storage shed are not mentioned in this Aesthetic section. Ms. Smith also believes the viewing platform was not accurately described, she prefers 24 X 16, as opposed to 384 square feet. Other observations about the aesthetics of the site are also outlined in the letter.

*The kiosk, entrance, interpretive panels, storage shed are discussed in the project description, in the Aesthetics section, these features are summarized as public access improvements. The shed and small water tank are proposed at the entry of the site screened by trees; the other improvements are minor in nature and will not have a significant impact. The viewing platform is described in terms of total square footage, as is the County Planning Department's standard.*

The second subject of the letter concerns the deer that live at Sweet Springs East. Ms. Smith questions whether U.S. Fish and Wildlife or California Department of Fish and Game (now Wildlife) has been contacted regarding the best way to protect the deer.

*Staff has heard about the deer that live at the site. Deer are not a protected species and are common in many urban areas. U.S. Fish and Wildlife or California Department of Fish and Game (now Wildlife) have not been contacted, as the deer are not listed species.*

The third subject is regarding water. Ms. Smith is concerned about the impacts to the water basin. Ms. Smith states maybe they can use recycled water.

*Water will be delivered to the site. Water usage will be temporary, until newly restored areas are established. Recycled water is currently not available.*

The fourth comment of the letter states the following "Sweet Springs Nature Preserve East is an established eco-system, with many habitats, containing a wide variety of interwoven native & non-native plants. Many organisms are dependent on this area. I am concerned with any clearing before it is analyzed for the consequences of our actions".

*The project has been analyzed, minimal ground disturbance will occur, as a result of the project. The provision of trails can help protect this habitat and sensitive area by concentrating usage on designated trails.*

A third letter from Marie Smith discusses the placement of the kiosk.

*The kiosk is shown on the site plan attached. The kiosk is located at the eastern entrance.*

**COMMUNITY ADVISORY GROUP COMMENTS:**

The Los Osos Community Advisory Council reviewed the proposed project on October 27, 2011. At the time LOCAC reviewed the project Eucalyptus tree removal was included in the project description. MCAS revised their project description and tree removal is no longer part of this permit. LOCAC voted to support the public access improvements and no tree removal.

**STAFF COMMENTS:**

MCAS initially proposed removal of approximately 100 Eucalyptus trees at the site. This portion of the project was removed for further study regarding potential impacts to Monarch butterflies. Staff has received approximately 165 letters and postcards regarding this project. This correspondence mostly addressed the tree removal. The correspondence addressed concerns regarding impacts to birds and Monarch butterflies. Concerns about the aesthetic of the site were also outlined. Approximately 60% of the correspondence was in support of the tree removal. These letters were not included in this staff report, but are available in the file.

**AGENCY REVIEW:**

Public Works – 1. Provide a Loading Zone and ADA parking plan for Public Works Review.  
2. Remove the “No Parking” sign from the plans and contact Ryan Chapman in the Traffic Division (781-1406) to discuss the ordinance requirements and Board of Supervisors Approval required for a “No Parking” sign.  
The applicant has worked with Public Works to address these issues  
California Coastal Commission – No response

**LEGAL LOT STATUS:**

The parcel was legally created by a conditional certificate of compliance at a time when that was a legal method of creating lots.

Staff report prepared by Jonathan Hidalgo and Kerry Brown and reviewed by Steve McMasters.

**EXHIBIT A - FINDINGS*****Environmental Determination***

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 27, 2012 for this project. Mitigation measures are proposed to address aesthetics, biological resources, public services/utilities and transportation/circulation and are included as conditions of approval.

Comments were received on the Negative Declaration during the comment period. The comments were responded to in this staff report. The Negative Declaration adequately addresses the project's potential impacts and no changes to the Negative Declaration are necessary in response to the received comments.

***Minor Use Permit***

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because habitat restoration and trail construction does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project area is designated open space.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Ramona Ave., a local road constructed to a level able to handle any additional traffic associated with the project

***Coastal Access***

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project creates additional access to coastal waters and recreation areas.

***Sensitive Resource Area***

- H. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because the project is primarily habitat conservation.
- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements because trails have been routed to create the least amount of impact on the natural environment.
- J. The proposed clearing of topsoil, trees, is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because all work will be accompanied by habitat restoration.
- K. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff.

***Archeological Sensitive Area***

- L. The site design and development incorporate adequate measures to ensure that archeological resources will be acceptably and adequately protected because the project design routes trails and structures away from sensitive areas.
- M. The site design and development cannot be feasibly changed to avoid intrusion into or disturbance of archaeological resources. Construction will use appropriate methods to protect the integrity of the site. Such methods include a monitoring plan for all construction activities

## **EXHIBIT B - CONDITIONS OF APPROVAL**

### **Approved Development**

1. This approval authorizes implementation of public access improvements at East Sweet Springs and connecting the site (with trails) to the Central Sweet Springs Nature Preserve. The project includes an accessible trail and boardwalk system including interpretive elements guiding visitors to a prominent lookout point along the shoreline of the estuary (as shown on the approved site plan).

### **Conditions required to be completed at the time of a Notice to Proceed**

#### ***Site Development***

2. At the time of application for a **Notice to Proceed**, plans submitted shall show all development consistent with the approved site plan and elevations.
3. **At the time of application for a Notice to Proceed**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

#### ***Fire Safety***

4. **At the time of application a Notice to Proceed**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code.

#### ***Drainage & Flood Hazard***

5. The applicant shall submit evidence to the Department of Public Works that all structures comply with County flood hazard construction standards, Sections 23.07.060-066.

### **Conditions to be completed prior to issuance of a Notice to Proceed**

#### ***Archaeology***

6. **CR-1:** The Applicant shall submit a monitoring plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Plan is to monitor all earth-disturbing activities in areas identified as potentially sensitive for cultural resources, per the approved monitoring plan. The monitoring plan shall include at a minimum:
  - a. List of personnel involved in the monitoring activities;
  - b. Description of how the monitoring shall occur;
  - c. Description of frequency of monitoring (e.g., full-time, part time, spot checking);
  - d. Description of what resources are expected to be encountered;
  - e. Description of circumstances that would result in the halting of work at the project site (e.g., What is considered "significant" archaeological resources?);
  - f. Description of procedures for halting work on the site and notification procedures; and
  - g. Description of monitoring reporting procedures.

**Conditions to be completed during project construction***Biological Resources*

7. **BR-1: All ground disturbance activities** will be restricted to the dry season (June 1 through October 31) when Morro shoulderband snails (MSS) are typically inactive and less likely to move into the construction area.
8. **BR-2: Preconstruction surveys** for Morro shoulderband snail shall be conducted **prior to any ground disturbance** in those areas to be affected by grading and other construction-related activities
9. **BR-3: Prior to site disturbance**, exclusion fencing shall be installed under the direction of a qualified biologist or a US Fish and Wildlife Service authorized Morro shoulderband snail monitor to ensure that areas occupied or potentially occupied by Morro shouldband snail are not impacted. The fence will remain in place throughout the duration of the project
10. **BR-4:** A qualified biologist or a US Fish and Wildlife Service authorized Morro shoulderband snail monitor shall monitor construction activities to ensure that Morro shoulderband snail have not moved into the construction site during mist conditions such as heavy dew, fog, rain., In the event such conditions occur, the biologist shall conduct another pre-activity survey prior to resumption of work. The service will be contacted immediately if Morro shoulderband snails are located in the construction areas during such surveys. Construction shall not be resumed until all Morro shoulderband snail issues have been resolved.
11. **BR-5: Prior to site disturbance**, an environmental awareness training shall be conducted for all construction workers at the site. The Environmental Awareness training shall be conducted by a qualified biologist or a US Fish and Wildlife Services authorized Morro shoulderband snail monitor.

*Archaeology*

12. **CR-2:** During all ground disturbing activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the environmental coordinator.
13. **CR-4: Prior to ground disturbance activities**, all labor crews shall be trained on the identification of archaeological remains and instructed in the proper steps to take in the event archaeological remains are exposed. The training shall be conducted by a qualified archaeologist.

**Conditions to be completed prior to establishment of the use**

14. **Prior to establishment of the use**, whichever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.

15. **Prior to establishment of the use**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

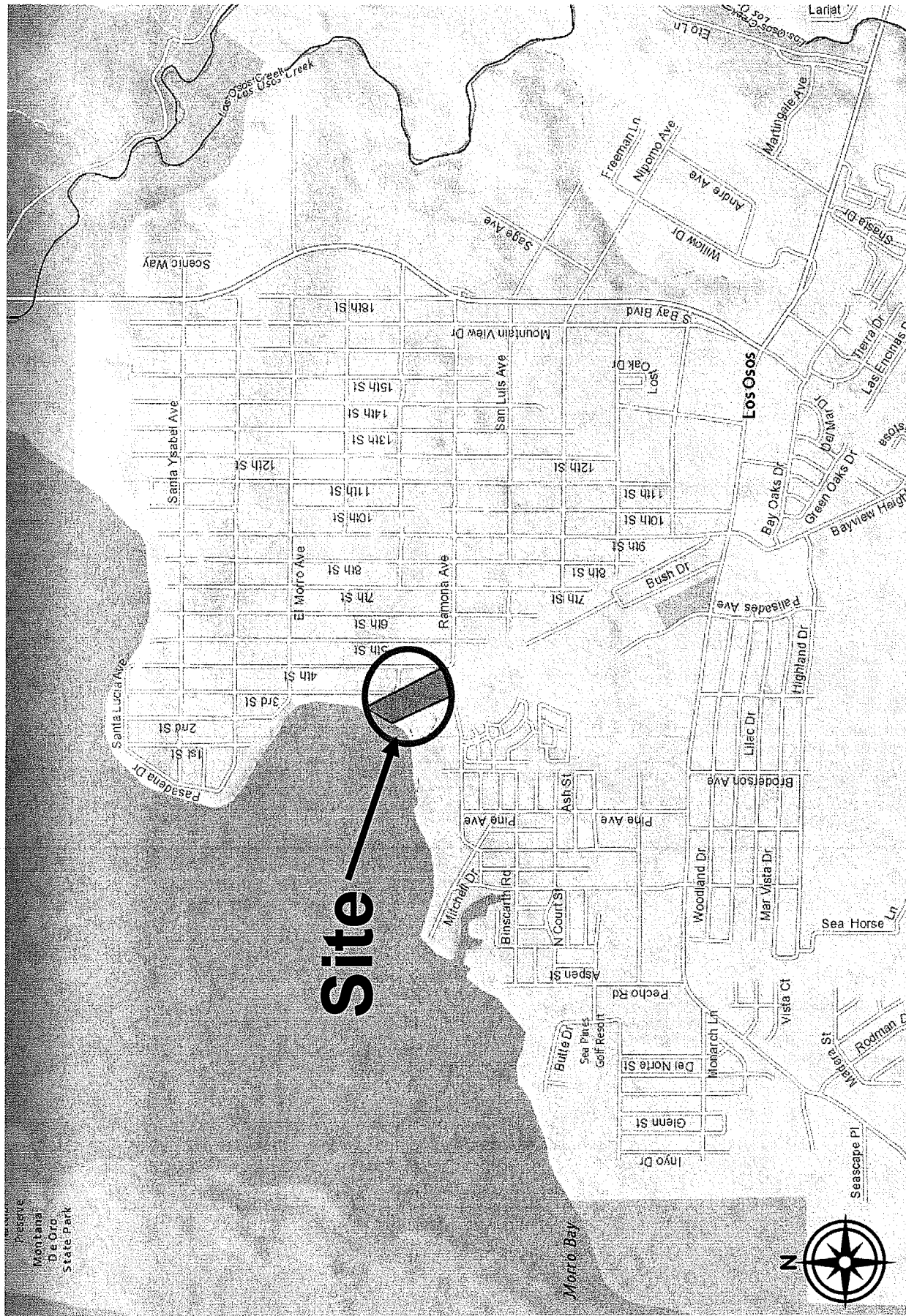
***Archaeology Monitoring – Completion Report***

16. **CR-3: Upon completion of all monitoring/mitigation activities, and prior to establishment of the use**, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. If the Phase III program is not complete by the time of final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis.

**On-going conditions of approval (valid for the life of the project)**

17. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
18. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.





**EXHIBIT**

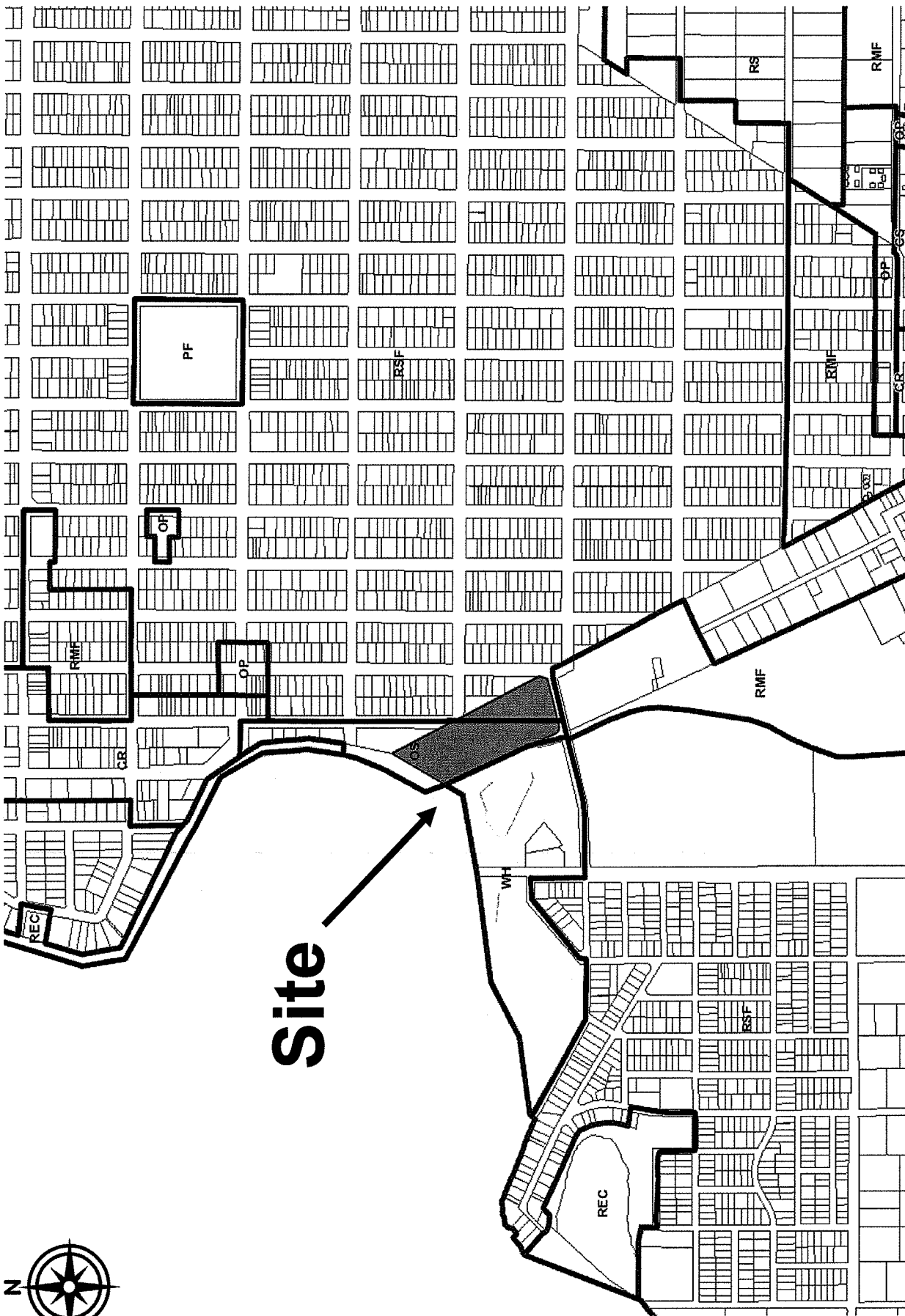
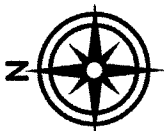
**Vicinity Map**



**PROJECT**

**Minor Use Permit  
MCAS DRC2011-00013**

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Minor Use Permit  
MCAS DRC2011-00013

EXHIBIT

Land Use Category Map





PROJECT

Minor Use Permit  
MCAS DRC2011-00013

EXHIBIT

Aerial Photograph



# MINOR USE PERMIT for morro coast audubon society EAST SWEET SPRINGS PUBLIC ACCESS & HABITAT ENHANCEMENT

## project data

**Project Description**  
The Morro Coast Audubon Society is a non-profit organization dedicated to the conservation of the natural resources of the Morro Coast. The Society has been established as a public entity under the laws of the State of California. The Society's primary purpose is to acquire, develop, and maintain a public access and habitat enhancement project on the Morro Coast. The project is located on the Morro Coast, approximately 10 miles south of San Luis Obispo, California. The project area is approximately 100 acres in size and is currently owned by the Morro Coast Audubon Society. The project is intended to provide a public access and habitat enhancement project on the Morro Coast. The project is intended to provide a public access and habitat enhancement project on the Morro Coast. The project is intended to provide a public access and habitat enhancement project on the Morro Coast.

**Landowners**  
Morro Coast Audubon Society  
1000 Highway 101, Suite 100, Morro Bay, CA 94032  
Phone Number: (805) 735-5251

**Agent**  
The Land Commission of San Luis Obispo County  
1000 Highway 101, Suite 100, Morro Bay, CA 94032  
Phone Number: (805) 735-5251

**Plat**  
The project is located on the Morro Coast, approximately 10 miles south of San Luis Obispo, California. The project area is approximately 100 acres in size and is currently owned by the Morro Coast Audubon Society. The project is intended to provide a public access and habitat enhancement project on the Morro Coast. The project is intended to provide a public access and habitat enhancement project on the Morro Coast. The project is intended to provide a public access and habitat enhancement project on the Morro Coast.

**Site Description**  
The project is located on the Morro Coast, approximately 10 miles south of San Luis Obispo, California. The project area is approximately 100 acres in size and is currently owned by the Morro Coast Audubon Society. The project is intended to provide a public access and habitat enhancement project on the Morro Coast. The project is intended to provide a public access and habitat enhancement project on the Morro Coast. The project is intended to provide a public access and habitat enhancement project on the Morro Coast.

## sheet index

Sheet	Description
Sheet 1	Project Data
Sheet 2	Project Directory
Sheet 3	Project Map
Sheet 4	Project Plan
Sheet 5	Project Notes

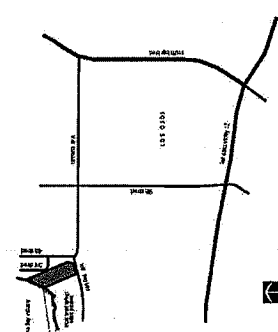
## project directory

**Landowners**  
Morro Coast Audubon Society  
1000 Highway 101, Suite 100, Morro Bay, CA 94032  
Phone Number: (805) 735-5251

**Agent**  
The Land Commission of San Luis Obispo County  
1000 Highway 101, Suite 100, Morro Bay, CA 94032  
Phone Number: (805) 735-5251

**Plat**  
The project is located on the Morro Coast, approximately 10 miles south of San Luis Obispo, California. The project area is approximately 100 acres in size and is currently owned by the Morro Coast Audubon Society. The project is intended to provide a public access and habitat enhancement project on the Morro Coast. The project is intended to provide a public access and habitat enhancement project on the Morro Coast. The project is intended to provide a public access and habitat enhancement project on the Morro Coast.

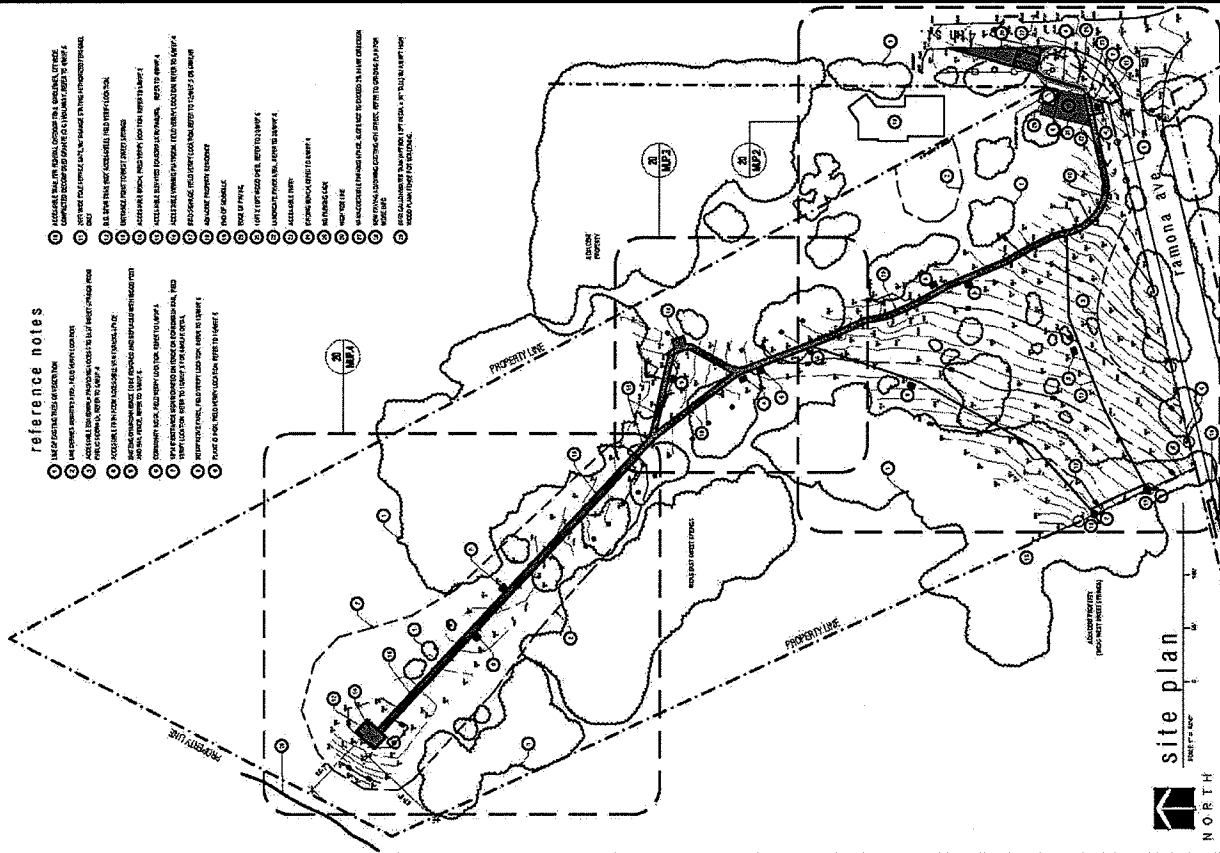
## vicinity map



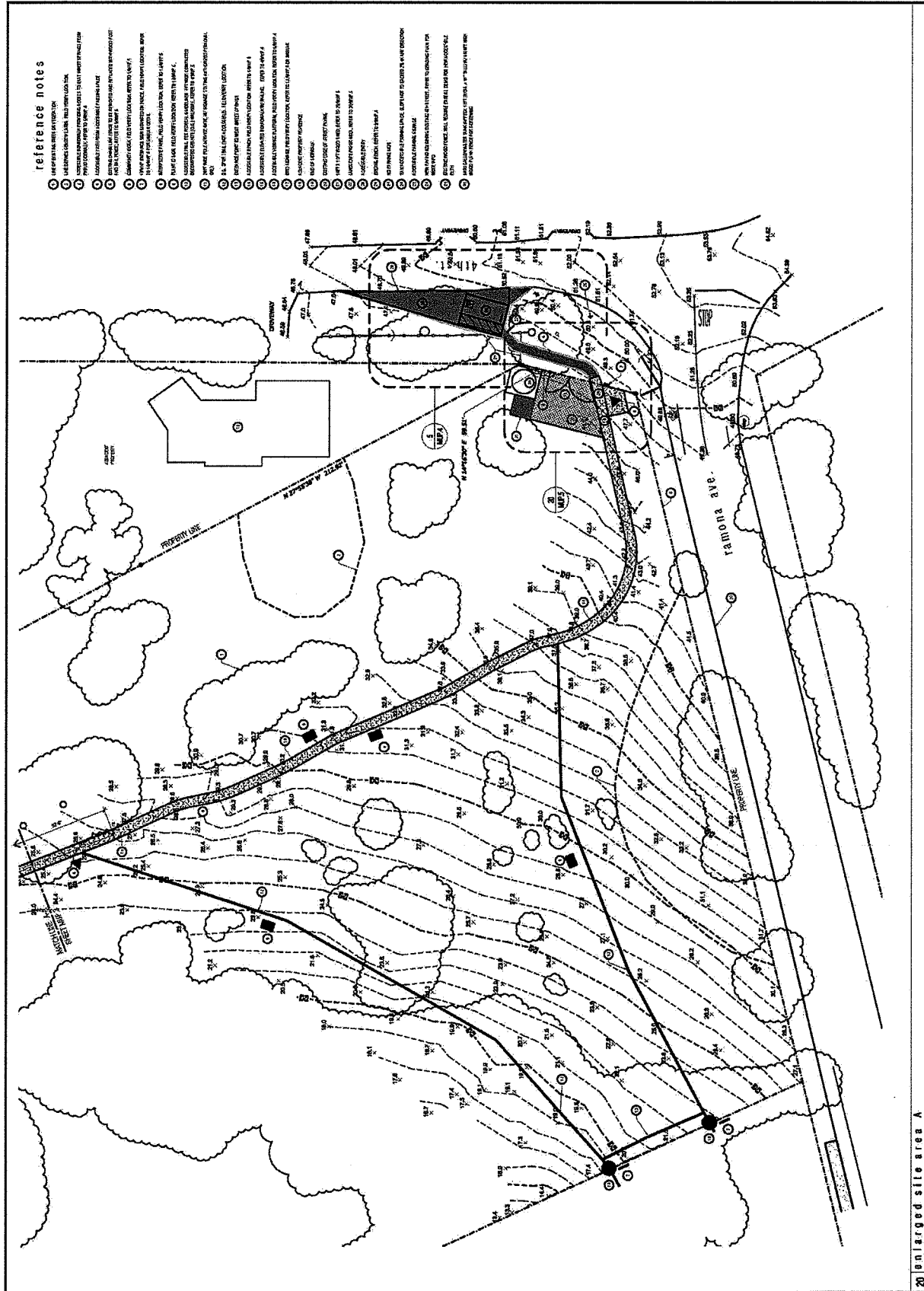
**PROJECT**  
Minor Use Permit  
MCAS DRC2011-00013

**EXHIBIT**

**Site Plan**







**EXHIBIT**  
Enlarged Site Plan



**PROJECT**  
Minor Use Permit  
MCAS DRC2011-00013

<p><b>FOSSIL INDUSTRIES</b></p> <p>GRAPHICS THAT SURVIVE</p> <p>Mounting Plate is available in several sizes. Graphics are applied with VHB tape or with threaded inserts and bolts.</p> <p>Tube is 3/4" x 3/4" anodized aluminum.</p> <p>Base Plate is 4" x 4" x 1/4".</p> <p><b>MINI-POST PEDESTAL</b> Part # MP24 and MP36</p> <p>MP24: 24" high x 12" wide x 12" deep MP36: 36" high x 12" wide x 12" deep</p> <p>www.fossilgraphics.com</p>	<p><b>FOSSIL INDUSTRIES</b></p> <p>GRAPHICS THAT SURVIVE</p> <p><b>UPRIGHT DOUBLE POST</b> Part # UD4</p> <p>www.fossilgraphics.com</p>	<p><b>FOSSIL INDUSTRIES</b></p> <p>GRAPHICS THAT SURVIVE</p> <p><b>Typical d.o.p. path</b></p> <p>www.fossilgraphics.com</p>
<p><b>18</b> plan of signage</p> <p><b>reference notes</b></p> <p>1. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>2. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>3. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>4. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>5. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>6. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>7. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>8. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>9. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>10. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>11. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>12. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>13. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>14. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>15. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>16. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>17. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>18. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>19. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p> <p>20. SIGNAGE SHALL BE PLACED IN THE MIDDLE OF THE SIGNAGE AREA.</p>	<p><b>FOSSIL INDUSTRIES</b></p> <p>GRAPHICS THAT SURVIVE</p> <p><b>CANTILEVER SUPPORTS</b> Part # CD224 and CD224</p> <p>www.fossilgraphics.com</p>	<p><b>FOSSIL INDUSTRIES</b></p> <p>GRAPHICS THAT SURVIVE</p> <p><b>Typical post rail fence</b></p> <p>www.fossilgraphics.com</p>
<p><b>FOSSIL INDUSTRIES</b></p> <p>GRAPHICS THAT SURVIVE</p> <p><b>Typical fence signage</b></p> <p>www.fossilgraphics.com</p>	<p><b>FOSSIL INDUSTRIES</b></p> <p>GRAPHICS THAT SURVIVE</p> <p><b>Community Block</b></p> <p>www.fossilgraphics.com</p>	<p><b>FOSSIL INDUSTRIES</b></p> <p>GRAPHICS THAT SURVIVE</p> <p><b>Typical fence signage</b></p> <p>www.fossilgraphics.com</p>

**PROJECT**  
Minor Use Permit  
MCAS DRC2011-00013

**EXHIBIT**  
Elevations & Signage





# SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Paavo Ogren, Director

---

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252  
Fax (805) 781-1229 email address: [pwd@co.slo.ca.us](mailto:pwd@co.slo.ca.us)

---

## MEMORANDUM

Date: September 14, 2011

To: Kerry Brown, Coastal Team Planner

From: Tim Tomlinson, Development Services

Subject: Public Works New Project Referral for DRC2011-00013-Morro Coast Audubon for access improvements and vegetation restoration. Ramona Avenue in Los Osos, APN 074-229-009

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

---

**PUBLIC WORKS REQUESTS THAT AN INFORMATION HOLD BE PLACED ON THIS PROJECT UNTIL THE APPLICANT PROVIDES THE FOLLOWING DOCUMENTS FOR PUBLIC WORKS REVIEW AND COMMENT:**

1. Provide a Loading Zone and ADA parking plan for Public Works review.
  2. Remove the "No Parking" sign from the plans and contact Ryan Chapman in our Traffic Division (781-1406) to discuss the ordinance requirements and Board of Supervisors Approval required for a "No Parking" sign.
-



August 9, 2012

Ms. Kerry Brown  
San Luis Obispo County Planning & Building  
1055 Monterey Street  
San Luis Obispo, CA 93408

Subject: Amendment to Permit Application MUP DRC2011-00013

Dear Ms. Brown,

After much discussion amongst ourselves and with Tim Duff of the California Coastal Conservancy, we have decided that it is in the best interest of our respective organizations and the general public to try to move forward with the components of our project that are relatively straightforward and not controversial. We would therefore like to amend our application to only request approval for access improvements on the property at this time, including trails, boardwalks, fencing, signage, a storage shed and viewing platform. We request that all sections pertaining to tree removal be deleted from the project description.

Morro Coast Audubon Society remains committed to implementing the most environmentally responsible project possible. We will continue studying the potential impacts of removing eucalyptus trees from the preserve.

Sincerely,

Holly Sletteland  
Preserve Manager  
Morro Coast Audubon Society



**SAVE THE PARK**  
405 Acacia Street  
Morro Bay, CA 93442

January 23, 2013

Environmental Division  
Department of Planning and Building  
County Government Center  
San Luis Obispo, CA 93408

**Subject: Proposed Negative Declaration Morro Bay Audubon Society;  
MUP; Tree Permit DRC2011-00013**

The Morro Coast Audubon Society's proposal to implement public access improvements is appropriate and our organization, Save the Park, is supportive of the addition of trails, boardwalk and interpretive areas. However, we are quite concerned with the adverse impacts of implementing a single species protection plan. The Morro Shoulderband Snail Recovery Action Plan is extensively referenced in the Biological Resources analysis for the Negative Declaration (pages 11 and 12). The text of the Project's Environmental Checklist states; "The [MSS Recovery] Plan provides guidance on removal of non-native invasive plant species".

Shoulderband snails deserve protection but not to the detriment of other important species. The County Code is clear on the question of limiting habitat planning to the needs of a single species. Section 23.07.170 of the County Code states that, "Emphasis for protection is the entire ecological community rather than only the identified [rare or endangered] plant or animal".

There are a variety of other important species found at the project site. The Checklist acknowledges this; "The site supports suitable habitat for nesting migratory bird species and tree roosting bat species". Additionally, the analysis identifies a variety of bird species in the area as well as roosting trees for Monarch Butterflies. The MSS Action Plan, however, does not consider the importance of protecting these other species.

Moreover, in addition to the site's natural resources, the Sweet Springs Reserve is a community resource because of its singular beauty. The ponds at Sweet Springs mirror the towering trees lining the waterways. These features, in turn, frame sweeping views across Morro Bay. While the setting is congenial to strollers and artists, neither the ponds nor the trees are native to the site. The cypress, the eucalyptus, and the ponds themselves are all modern era additions. This poses a dilemma for resource managers since restoration orthodoxy stresses the return of landscapes to conditions that pre-date European settlement. The MSS Action Plan reflects this objective, calling for eradication of non-native species and their replacement with natives.

It is ironic that the MSS Action Plan calls for the removal of the not-quite-natural resources that inspired the creation of the preserve. In 1988, when the local Audubon chapter assumed a management role at Sweet Springs, the first order of business was commissioning a "Marsh Resource Enhancement and Access Management Plan". The 1988 plan included assessments of the site's geology, hydrology, vegetation, wildlife, and cultural resources. The plan described the condition of the site's multiple habitat areas and included recommendations for protection, restoration, enhancement and provision of appropriate public access. The plan included recommendations for phasing project development, for coordinating contracts, and proposed a continuing program of maintenance and monitoring. Importantly, the Management Plan acknowledged the significance of the Sweet Springs area as an aesthetic resource to the community.

It would be reasonable to expect that, when lands are added to the original preserve, that they would receive similar comprehensive treatment. However, this hasn't happened for Sweet Springs "East". The MSS Recovery Plan lacks the scope of a comprehensive resource assessment and enhancement plan. There has been an attempt to repair the plan's shortcomings by adding additional species-specific studies such as a study of Monarch Butterflies but these are piecemeal additions that don't address the fundamental community concerns for protecting all the site's natural and aesthetic resources.

The absence of any plan for comprehensive management of resources at Sweet Springs East along with unqualified endorsement of the goals of the MSS Action Plan, sets the stage for destruction of habitat important to other species and transformation of the visual landscape.

Without County conditions protecting the site's natural and visual resources, the only governing regulation is the County's tree protection ordinance. This was not designed as a guide to habitat protection. In the ordinance, protected trees are determined by girth of their trunks. However, the understory of a wooded area is important to wildlife and the natural replacement of older trees with new growth is essential to maintaining habitat.

Attempts to tidy up Nature by removing understory can degrade habitat. I did an analysis of the data on use of area wintering sites for Monarch Butterflies<sup>1</sup>. The study showed that the recent removal of eucalyptus trees and understory in the Morro Bay State Park was accompanied by a precipitous decline in wintering butterfly populations.

It is important for plan approvals to acknowledge that the protection of on-site, biological resources includes the retention and protection of areas not directly affected by the construction of trails and the boardwalk. The permit conditions should specify that areas that are not affected by construction should be retained in their existing natural condition. There should be two exceptions. One exception would be situations where trees or fallen branches pose a risk to trail users. The second exception would be to allow the removal of Velt Grass, a species that has less habitat value than native plants.

---

<sup>1</sup> The statistical data on the loss of butterfly population in the park is attached as an attachment.

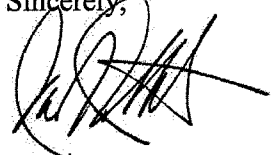
Tree and understory removal might be appropriate in the future, but any such actions should be in accord with a comprehensive management plan that balances the needs of all important species.

It is also essential that any such plan be subject to public review and approval. While the Audubon Chapter is a private entity, the funding for the purchase of Sweet Springs purchase and its enhancement are based on federal and state grants. At the time the reserve was created, the State Parks Department was the first choice as a management agency. When the state declined, the local Audubon chapter took on the stewardship task. One administrative mechanism that affords public oversight is, that as a private entity, the Audubon chapter requires land use approvals to implement plans. In this case, it is entirely appropriate for the County to look at the "whole of the action" and condition approvals on two requirements. First, the Audubon chapter is required to not alter habitat areas that are within the reserve, but outside of the areas where trails and walkways are to be constructed. The exceptions to this would be public safety concerns and removal of velt grass and restoration with native plants. Second, prior to any additional permit requests, the Audubon Chapter agrees to complete an update of the comprehensive 1988 Sweet Springs Management Plan to include Sweet Springs East. The updated plan should consider the degree to which the objectives of the original 1988 plan have been achieved and map out strategies for future management.

In summary:

1. Environmental approvals should promote comprehensive, multi-species resource protection. They should also reference the value of the site as an aesthetic resource to the Los Osos community.
2. The Audubon group should be restrained from removal of understory or trees that do not have the maturity and size that would require a use permit. The mitigations should directly state that there may not be removals of vegetation outside of the construction area.
3. The Audubon Chapter should be required to prepare an update of the Sweet Springs Management Plan before any additional site development proposals are presented for County approval. The process for the preparation of the updated Management Plan should be open to public review and the County should formally consider and adopt its proposals.

Sincerely,



David T. Dubbink, Ph.D., AICP  
Vice President, SAVE THE PARK

**Attachment****Tree Removal and Butterflies**

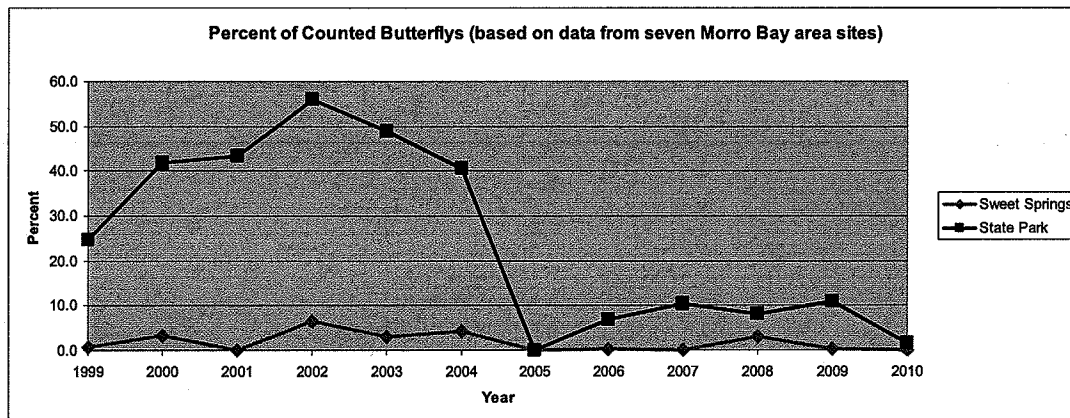
Prepared by David Dubbink May 10, 2012

The annual Thanksgiving Day butterfly counts by the Xerces Society are referenced in Francis Villablanca's report on Sweet Springs. The same data can be used to document the effects of tree removal on monarch winter roosting habitat.

The Morro State Park Campground has long been recognized as one of the areas most significant overwintering sites for monarch butterflies. The campground, constructed in the 1930s by the Civilian Conservation Corps, was laid out between windrows of eucalyptus trees that had been planted decades earlier. By 2004, when the park underwent "rehabilitation" the original trees had grown into giants and tree growth had spread over the relatively undeveloped corner of the part designated for tent camping. This was the monarch's overwintering area.

Plans for rehabilitation included the removal of 74 "invasive, non-native" trees. Sections of the double windrow of mature eucalyptus sheltering the site from northwest winds were removed to accommodate a new entrance road. Trees in the tent camping area were thinned to provide paved parking pads for recreational vehicles.

Tree removal began in the spring of 2004. The figure below shows the changes in butterfly presence between the years 1999 and 2010. The reference value is the share of the total butterflies counted at seven Morro Bay area sites, present at the campground. Use of the percentage value removes the effect of yearly fluctuations in the butterfly population. Prior to the removal of the trees, the campground eucalyptus had been host to a third to a half of the monarchs overwintering in the region. After the "rehabilitation" the numbers drop to less than 10%.



The project EIR acknowledged that tree removal could affect the monarch population but the impact was said to be less than significant<sup>2</sup>. It was argued that it is, "unlikely roosts would be abandon given that butterflies have been tolerating frequent disturbance by park visitors." The proposed mitigations were to "avoid removing trees near roost sites when butterflies are present."

<sup>2</sup> DEIR Morro Bay State Park Campground Rehabilitation and Day Use Area Project, Pages 4.7-12 – 4.7-13, California Department of Parks and Recreation, 2001

and that, "native trees should be planted to provide alternate monarch overwintering habitat". Anyway, habitat protection wasn't essential since; "other nearby wintering sites are available."

The table also shows the same data for Sweet Springs. The numbers are not as dramatic as they are for the campground but, the best years for butterflies were before 2005.



**comment for the March 1 meeting: Sweet Springs Nature Preserve is a Sanctuary!**

Marie Smith to: Kerry Brown

02/07/2013 04:49 PM

From: Marie Smith <mailmarie@charter.net>  
To: Kerry Brown <KBrown@co.slo.ca.us>

Hi Kerry,

Could you please include this email in the comments for the March 1, 2013 hearing.

At the beginning of this project it was stated that there was a high likelihood that an EIR was going to be required. Here is the statement in the DRC2011-00013 application on page 2 of the Parcel Summary Report for Parcel #074-229-009:

-----  
2. PLEASE PROVIDE WATER AND SEWER WILL-SERVE LETTERS. A WILL-SERVE IS NEEDED, WE CANNOT PROCEED WITHOUT A V

NOTE: OUR PRELIMINARY ASSESSMENT INDICATES THAT THERE ARE POTENTIALLY SIGNIFICANT IMPACTS ASSOCIATED WITH THE SUBDIVISION INCLUDING BUT NOT LIMITED TO CULTURAL RESOURCES, ENDANGERED SPECIES, WETLANDS, DRAINAGE, AND TRAFFIC. THERE IS A HIGH LIKELIHOOD THAT WE WILL BE REQUIRING AN ENVIRONMENTAL IMPACT REPORT FOR THIS APPLICATION.

-----  
yet, now in the announcement about the hearing (the underlines are mine) there is the statement:

-----  
The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 27, 2012 for this project.

-----  
my comment about this: Relying on an initial study does not sound like it was done "in depth". I am concerned that does not reflect the significance of this property. Sweet Springs Nature Preserve East is part of an oasis, an established sanctuary located on the Pacific Flyway, adjacent to a National Estuary and in the middle of a busy community.

At this point in time protection of this established ecosystem is even more critical because of the unknown side effects on nature due to sudden major changes related to the LO sewer. Examples of the ongoing changes which force nature to move from one area to another in the flight/fight for survival are: daily air, noise and physical disturbances during the major construction activities, changes in landscapes including the removal of trees and bushes as we install our laterals and sewer facilities (i.e.: the major changes in the Broderson recharge area) and the changes in ground water levels. Ground water changes: previously the town was "watered" evenly from the leach fields of the septic systems. We are going to "shut off" that water and relocate it (after treatment) to a few locations. Because of the complex geological clay lens layers under Los Osos, we do not

know for sure how the water will flow. The impact of this action on the plants, trees, the Estuary Fringe and associated life-forms is unknown.

Even now, it is my understanding that an investigation is underway to figure out how to truly protect the birds, butterflies, insects, mammals, and other wildlife that presently are dependent on Sweet Springs. Each section of Sweet Springs is important and it is all inter-connected. I believe, to say "go ahead", before decisions are made about how to best protect Sweet Springs and the wildlife that lives there year-round or the birds, butterflies and insects that visit and depend on it during part of the year for sanctuary, e.g. survival, would be a mistake.

Even though the removal of the eucalyptus trees are no longer in the present application, the area under them and the trees themselves are part of the total picture. The 1,092 signatures against their removal reflect the awareness of many people that this area should not be treated in a piecemeal fashion: this is a truly amazing established ecosystem!

Please, everyone, respect and protect this special Sanctuary!

Marie Smith

Los Osos



**"Environmental Determination vs. the application and reality" & 3 other comments**

Marie Smith to: Kerry Brown

02/08/2013 06:14 PM

From: Marie Smith <mailmarie@charter.net>  
To: Kerry Brown <KBrown@co.slo.ca.us>

Dear Kerry,

Please also include these "4" subjects for the March 1 meeting.

- references are throughout the email, identified by >
- a picture of Sweet Springs Nature Preserve East as seen from Ramona Ave. is also included
- 1. the Initial Study Summary - Environmental Checklist Aesthetics pg. 4 does not reflect the visual impacts mentioned in the general application or the reality of what exists today.
- = (1) kiosk, (2) entrance panels 36" x 24", (4) interpretive panels 24"x24", (1)10'x10' storage shed, and (1) water tank are not mentioned on pg. 4.
- Heights have also not been specified.

The size, location and appearance of these objects is important for the ambience of Sweet Springs Nature Preserve.

- = The viewing platform description used in the initial study checklist of 384 sq. feet does not give the same visual feeling as the 24 x 16 feet used in the project description.

Using 24 feet x 16 feet not only helps us appreciate the visual impact, but also the consequences for nature and people in Los Osos as we can get a better indication of the number of people expected to show up at one time. (As we know Sweet Springs is already a popular destination for visitors to Los Osos.)

- = An additional observation which needs to be addressed: Sudden approaches to overlooks or "arm waving while talking" can scare wildlife and birds away.
- = Man-made objects will change the present day views: from the streets, from across the bay and from Sweet Springs Nature Preserve Central.
- = the following viewpoint does not show an appreciation of the value of the total visual picture and acts like the proposed changes are not a big deal:
- > from the Initial Study Summary - Environmental Checklist:

The portions of project will be visible from Ramona Avenue, a collector. Trees obscure views to the bay (from Ramona Avenue). The project is a trail system which will be compatible with the surrounding area and uses. The project will not silhouette against any ridgelines as viewed from public roadways. The public access improvement are minor in nature and will not impact the aesthetics of the area. The project will provide visitors with additional opportunities to enjoy the shoreline and surrounding beauty of the area.

-----  
= contrast this with another viewpoint:

Another viewpoint is that the bay and sky, seen through the trees, form a



background for and are part of the ever changing natural scenery composed of trees, plants, animals, birds, and insects affected by the time of day, weather, season, and life cycles. Having man-made objects within this picture will forever transform it from natural into developed.



Picture of Sweet Springs Nature Preserve East as seen from Ramona Ave.

= OVERALL COMMENTS/SUGGESTION EXAMPLE: In a Nature Preserve the focus should be on nature, not on man-made objects. for example: Since Sweet Springs is one nature preserve, do we really need 2 entrance panels and a Kiosk for the East portion? In the application, I also noticed that the Kiosk is planned for the middle of the property. Is it possible to have the Kiosk information located at one of the entrance panels? Please check the size, height and location of all signage, buildings and other structures and make any adjustments that will help minimize the visual impact.

When we are deciding what to do, please let's try for a "natural, wilderness" look for the East Side. Right now the experience of walking down the corridor to the bay, without man-made objects is amazing! Many people cannot hike in nature. I understand that to accommodate people, much change happens, but let us remember that this is the opportunity to also keep a place where people can truly be inspired by nature.

---

#### REFERENCES FOR COMMENT #1

> For Reference: this is page 4 of the initial study summary - environmental checklist dealing with the aesthetics description/evaluation



## COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

### 1. AESTHETICS

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create glare or night lighting, which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located within the community of Los Osos at the westerly end of the Los Osos Valley. The community is located on and surrounded by older coastal dunes, Morro Bay and its tidelands to the north, as well as the Irish Hills and Montana de Oro to the south and southwest. The project site currently is vegetated with a stand of Eucalyptus trees, Monterey Cypress trees, non-native grasslands, freshwater marsh and saltwater marsh. The project site will be visible from Ramona Avenue. The project site is located adjacent to a residentially zoned area with scattered small lot residential development on the east and Sweet Springs to the west.

The project consists of new public access improvements, including an accessible trail and boardwalk system. A portion of the boardwalk will be higher than 30 inches and will require a railing for safety. The boardwalk will end at a viewing platform approximately 90 feet from the shoreline. The platform will match the platform at the existing Central Sweet Springs Preserve and be 384 square feet in size. The platform will have built in benches and a railing.

The portions of project will be visible from Ramona Avenue, a collector. Trees obscure views to the bay (from Ramona Avenue). The project is a trail system which will be compatible with the surrounding area and uses. The project will not silhouette against any ridgelines as viewed from public roadways. The public access improvement are minor in nature and will not impact the aesthetics of the area. The project will provide visitors with additional opportunities to enjoy the shoreline and surrounding beauty of the area.

**Impact.** The project is considered compatible with the surrounding uses and will blend with the surrounding environment.

**Mitigation/Conclusion.** No mitigation measures are necessary.



> For Reference: The following is from the General Application form p 10 of 16

**Special Project Information**

1. Describe any amenities included in the project, such as park areas, open spaces, common recreation facilities, etc.(these also need to be shown on your site plan): ADA compliant trail, boardwalk, overlook, interpretive panels, community kiosk, benches.

> For Reference: The following is from the Project Description p 12

Interpretive panels will be installed along the main line, spur, and boardwalks. The interpretive plan includes a community kiosk at the entrance to the preserve, two grantor/partners signs (one at the entrance to the preserve and one at the southeast pedestrian/service entrance), three interpretive panels will be located along the length of the main line and one will be mounted at the overlook. Additionally, the trail-system will feature 8 to 16 plant identification signs. The community kiosk will be a roofed two-sided upright structure with information about the Preserve and current updates on the outside panels. The grantor/partners entrance panels will be 36 by 24 inches, installed on upright double pedestals. The interpretive panels will be 24 by 36 inches, mounted on double cantilevered pedestals at a 45 degree angle. The plant ID signs will be 6 by 10 inches, mounted on mini posts at a 45 degree angle. With the exception of the small plant ID signs, all pedestals will be anchored into concrete footings and will require excavation to a depth of 24"

> For Reference: The following is from the Project Description p 11

**Overlook/Viewing Platform**

The boardwalk will end at a viewing platform at a distance of approximately 90 feet from and 6 feet in elevation above the high tide shoreline. The platform will match the character of the existing platform at Central Sweet Springs. It will include built-in benches with a gap to facilitate wheelchair accessibility, elbow-rests for binocular use, and a railing. It will be 24 by 16 ft to accommodate multiple visitors and groups and will include interpretive panels. Please see the attached plan set for more information related to the design of the viewing platform.

2. I am concerned about the deer who live on the east side of Sweet Springs Nature Preserve. It would be nice to accommodate these deer so that people can continue to enjoy them.

= one of the deed restrictions that may help the deer is:

> "plant and wildlife habitat preservation" from pg. 2 of the Initial Study Summary - Environmental Checklist

= We have a few local residents who can help with information about the deer who live on the east side of Sweet Springs.

= Have USFWS and CDFG been consulted yet for the best way to protect the deer?

> the project description for USFWS on p 11 of 16

1. List all permits, licenses or government approvals that will be required for your project (federal, state and local): USFWS approval, County Building, Grading, and Encroachment Per

> the project description for CDFG on 16 of 16

**California Department of Fish and Game**

**The California Department of Fish and Game may have jurisdiction over special status species that could be found onsite. CDFG will be consulted during the permitting process.**

-----  
-----  
3. I have noticed the initial study says that the water will be delivered. Delivered water still impacts our basin. Has the water will-serve letter been obtained yet?

Maybe we can use some of the sewer recycled water?

> p 2 of 3 in the parcel summary in the original application:

2. PLEASE PROVIDE WATER AND SEWER WILL-SERVE LETTERS. A WILL-SERVE IS NEEDED, WE CANNOT PROCEED WITH

-----  
-----  
4. Sweet Springs Nature Preserve East is an established eco-system, with many habitats, containing a wide variety of interwoven native & non-native plants. Many organisms are dependent on this area. I am concerned with any clearing before it is analyzed for the consequences of our actions.

-----  
-----  
Thank you for considering the above comments,  
Marie Smith (31 yr. Los Osos resident)



**kiosk comment**

Marie Smith to: Kerry Brown

02/09/2013 09:06 AM

From: Marie Smith <mailmarie@charter.net>  
To: Kerry Brown <KBrown@co.slo.ca.us>

Dear Kerry,

In my last email titled "Environmental Determination vs. the application and reality" & 3 other comments" I made a comment, located under the picture in the email, about moving the Kiosk: that it was not good to be in the center of a special view. This comment was based on P9 (figure 2) of the East Sweet Springs Public Access and Habitat Enhancement Project Description dated August 2011 that came from the county. In the bottom right hand corner of this drawing it says: August 29, 2011, Prepared by the Land Conservancy. In this drawing the Kiosk is in the center.

I just came across an Audubon handout of the same drawing, with some differences even though in the bottom right hand corner of this drawing it also says: August 29, 2011, Prepared by the Land Conservancy. In this handout the kiosk is in a different location.

Where-ever the man-made structures are placed, my message is the same: let us please try not to interfere with the special views from the road!

Marie



**FW: wildlife in Sweet Springs**

John Haley to: Kbrown

02/04/2013 09:36 AM

From: "John Haley" <haleyje@charter.net>  
To: <Kbrown@co.slo.ca.us>

Hello Kerry Brown,

Marie Smith suggested that I forward this e-mail, which I sent to Betty Winholtz, to you. Thanks for reading it.

John Haley

From: John Haley [mailto:haleyje@charter.net]  
Sent: Saturday, February 02, 2013 11:53 AM  
To: 'winholtz@sbcglobal.net'  
Cc: 'Marie Smith'  
Subject: wildlife in Sweet Springs

Hello Betty, Marie told me that you are asking for information about observations of wildlife in Sweet Springs.

My wife Betty and I have observed wildlife there for a little more than 18 years. We live right next to the preserve, which is just a block away.

When Mrs. Jan Corr owned what is now the eastern section of Sweet Springs she used to let my wife Betty, who is an artist, use that section for the painting of scenes. So we have seen the wildlife up close in both sections of the preserve. We have watched Monarch butterflies in the Eucalyptus trees in both sections. We have seen owls in the Eucalyptus trees and our friend Erica actually took a picture of them. We have seen deer on many occasions in both sections and I know exactly where two mule deer are living in a thick grove of Eucalyptus trees in the eastern section year round. We have watched a family of red foxes living in the Eucalyptus trees in the eastern section. Over the years, the female fox gave birth to kits twice. We have observed many raccoons among the Eucalyptus trees and watched them fish where the Sweet Springs creek enters the bay. We have seen confrontations between raccoons and coyotes, including one encounter between a mother coyote, with her two cubs, and a raccoon over a fish that the raccoon had just caught. The raccoon won out in the confrontation and saved his fish. We have watched red-shouldered hawks tend their babies in nests in the Eucalyptus trees. We have watched great blue herons in the Eucalyptus trees in both sections of the preserve and in the pools of Sweet Springs, as well as great white herons. We have seen the Eucalyptus trees over the smaller pool in Sweet Springs fill up with as many as 15 black-crowned night herons at a time, according to our count. Recently we have been seeing squirrels using the Eucalyptus trees of both sections of Sweet Springs.

If you need any more detailed information about these sightings let me know. John Haley and Betty Field-Haley



**need to save the trees Sweet Springs**

John Haley to: KBrown

09/25/2012 08:30 AM

From: "John Haley" <haleyje@charter.net>  
To: <KBrown@co.slo.ca.us>

Dear Kerry Brown, my wife Betty Haley and I live right next the Sweet Springs Nature reserve in Los Osos. We constantly watch the wildlife that live there through binoculars and we have viewed deer who appear to be living permanently in a thick grove of Eucalyptus trees in the eastern part of the preserve. That is, in the section where the local Audubon Society wants to remove the Eucalyptus trees. Over a period of 18 years, we have also viewed Monarch butterflies in the Eucalyptus trees in that section, as well as raptors, such as red-shouldered hawks and owls. Last year, using binoculars, a Cal Poly biologist and I counted 75 Monarch butterflies in the Eucalyptus trees in the eastern section .

Marie Smith suggested that I send a letter to you about the wildlife that we have seen there. Those trees should be preserved as habitat for that wildlife.

Sincerely, John. E. Haley, Ph. D.



# NEGATIVE DECLARATION & NOTICE OF DETERMINATION

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

*Promoting the Wise Use of Land • Helping to Build Great Communities*

**ENVIRONMENTAL DETERMINATION NO. ED12-039**

**DATE:** December 27, 2012

**PROJECT/ENTITLEMENT:** Morro Coast Audubon Society; Minor Use Permit; Tree Permit; DRC2011-00013; 074-229-009

**APPLICANT NAME:** Morro Coast Audubon Society

**ADDRESS:** P.O. Box 1507, Morro Bay, CA 93443

**CONTACT PERSON:** Morro Coast Audubon Society

**Telephone:** 805-772-1991

**PROPOSED USES/INTENT:** Request by Morro Coast Audubon Society (MCAS) to implement public access improvements at East Sweet Springs and connect the site (with trails) to the Central Sweet Springs Nature Preserve. The project includes an accessible trail and boardwalk system including interpretive elements guiding visitors to a prominent lookout point along the shoreline of the estuary.

**LOCATION:** The project is located on the north side of Ramona Street between Broderson Avenue and 4th Street, in the community of Los Osos, in the Estero planning area.

**LEAD AGENCY:** County of San Luis Obispo  
Dept of Planning & Building  
976 Osos Street, Rm. 200  
San Luis Obispo, CA 93408-2040

**Website:** <http://www.sloplanning.org>

**OTHER POTENTIAL PERMITTING AGENCIES:** California Coastal Commission

**STATE CLEARINGHOUSE REVIEW:** YES ☒ NO ☐

**ADDITIONAL INFORMATION:** Additional information pertaining to this environmental Determination may be obtained by contacting the above Lead Agency address of (805)781-5600.

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT** ..... 4:30 p.m. (2 wks from above DATE)

**30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification**

## Notice of Determination

**State Clearinghouse No.** \_\_\_\_\_

This is to advise that the San Luis Obispo County \_\_\_\_\_ as ☐ *Lead Agency* ☐ *Responsible Agency* approved/denied the above described project on \_\_\_\_\_, and has made the following determinations regarding the above described project.

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.

Kerry Brown

County of San Luis Obispo

**Signature**

**Project Manager Name**

**Date**

**Public Agency**





## Initial Study Summary – Environmental Checklist

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING  
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600  
*Promoting the Wise Use of Land • Helping to Build Great Communities*

(ver 5.0) Using Form

**Project Title & No.** Morro Coast Audubon Society Minor Use Permit  
**/Coastal Development Permit ED 12-039 (DRC2011-00013)**

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water /Hydrology
<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Kerry Brown

Prepared by (Print)

Signature

Date

Reviewed by (Print)

Signature

Ellen Carroll,  
Environmental Coordinator  
(for)

Date



**Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 200, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

**A. PROJECT**

**DESCRIPTION:** Request by Morro Coast Audubon Society (MCAS) to implement public access improvements at East Sweet Springs and connect the site (with trails) to the Central Sweet Springs Nature Preserve. The project includes an accessible trail and boardwalk system including interpretive elements guiding visitors to a prominent lookout point along the shoreline of the estuary. The trail will include one linear main line constructed of a combination of decomposed granite and elevated wooden or composite boardwalk (from the entrance to the bay overlook). Two spur trails leading from the Pond Loop trail to the north and south of the pond on the Central Sweet Springs preserve will connect the main line to the eastern section. One small loop trail will be included near the middle of the main line to provide a resting area. The main line trail will be five feet in width. The project also includes a bike rack (bicycles will not be allowed on the preserve), an ADA parking space and a 3,000 gallon water tank; all located at the entrance of the preserve. The project will result in 6,500 square feet of ground disturbance on an 8.3 acres site. The project is located on the north side of Ramona Street between Broderson Avenue and 4<sup>th</sup> Street, in the community of Los Osos, in the Estero planning area.

**Background**

Morro Coast Audubon Society owns and manages the Sweet Springs Nature Preserve. Sweet Springs is a 24 acre Nature Preserve which provides public access, educational programs, and a monitoring and management of the flora and fauna at the site. In 2008, Sweet Springs East was purchased by the Trust for Public Land with funding for the acquisition provided by California State Coastal Conservancy, the National Coastal Wetlands Conservation Grant (USFWS), 2004 Section VI Recovery Land Acquisition Grant (USFWS), 2002 Section VI Recovery Land Acquisition Grant (USFWS), and the California Wildlife Conservation board. The Trust for Public Land transferred the property over to the Morro Coast Audubon Society to manage with the Central Sweet Springs Preserve. Deed restrictions were placed on the property, restricting the use of the property to the following uses: plant and wildlife habitat preservation, restoration and management, wildlife-oriented education and research, and public access. Sweet Springs Nature Preserve is now made up of three areas: West Sweet Springs, Central Sweet Springs, and East Sweet Springs. West Sweet Springs is fully protected and public access is discouraged as it is a salt marsh, Central Sweet Springs allows managed public access and habitat preservation, and East Sweet Springs is proposed to allow public access and habitat enhancement and preservation.

MCAS initially proposed removal of approximately 100 Eucalyptus trees at the site. This portion of the



project was removed for further study regarding potential impacts to Monarch butterflies.

**ASSESSOR PARCEL NUMBER(S):** 074-229-009

Latitude: 35° 19' 19.4772" N Longitude: -120° 50' 24.4782" W

**SUPERVISORIAL DISTRICT # 2**

## **B. EXISTING SETTING**

**PLANNING AREA:** Estero, Los Osos

Flood Hazard, and Wetlands

**LAND USE CATEGORY:** Open Space  
, Residential Single Family

**TOPOGRAPHY:** Nearly level

**VEGETATION:** Grasses , eucalyptus  
, coastal scrub

**COMBINING DESIGNATION(S):**

Local Coastal Plan/Program

, Coastal Appealable Zone

, Sensitive Resource Area

, Archaeologically Sensitive, Coastal Access,

**PARCEL SIZE:** 8.3 acres

**EXISTING USES:** Undeveloped

### **SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Estero Bay	<i>East:</i> Residential Single Family; single-family residence(s)
<i>South:</i> Residential Multi-Family; undeveloped	<i>West:</i> Area of deferred certification (Coastal Commission jurisdiction); Morro Coast Audubon Society Sweet Springs Nature Preserve

## **C. ENVIRONMENTAL ANALYSIS**

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.





## COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

### 1. AESTHETICS

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located within the community of Los Osos at the westerly end of the Los Osos Valley. The community is located on and surrounded by older coastal dunes, Morro Bay and its tidelands to the north, as well as the Irish Hills and Montana de Oro to the south and southwest. The project site currently is vegetated with a stand of Eucalyptus trees, Monterey Cypress trees, non-native grasslands, freshwater marsh and saltwater marsh. The project site will be visible from Ramona Avenue. The project site is located adjacent to a residentially zoned area with scattered small lot residential development on the east and Sweet Springs to the west.

The project consists of new public access improvements, including an accessible trail and boardwalk system. A portion of the boardwalk will be higher than 30 inches and will require a railing for safety. The boardwalk will end at a viewing platform approximately 90 feet from the shoreline. The platform will match the platform at the existing Central Sweet Springs Preserve and be 384 square feet in size. The platform will have built in benches and a railing.

The portions of project will be visible from Ramona Avenue, a collector. Trees obscure views to the bay (from Ramona Avenue). The project is a trail system which will be compatible with the surrounding area and uses. The project will not silhouette against any ridgelines as viewed from public roadways. The public access improvement are minor in nature and will not impact the aesthetics of the area. The project will provide visitors with additional opportunities to enjoy the shoreline and surrounding beauty of the area.

**Impact.** The project is considered compatible with the surrounding uses and will blend with the surrounding environment.

**Mitigation/Conclusion.** No mitigation measures are necessary.



**2. AGRICULTURAL RESOURCES***Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land, per NRCS soil classification, to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Conflict with existing zoning for agricultural use, or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located within the urban area of the community of Los Osos. The project site is 8.3 acres in size and located adjacent (to the west) to the Morro Coast Audubon Society's Sweet Springs Nature Preserve and adjacent to residentially zoned and developed area.

**Project Elements.** The following area-specific elements relate to the property's importance for agricultural production:

Land Use Category: Residential Single Family and Open Space      Historic/Existing Commercial Crops: None

State Classification: Not prime farmland,

In Agricultural Preserve? No

Under Williamson Act contract? No

The soil type(s) and characteristics on the subject property include:

Aquolls, saline. This nearly level soil is considered poorly drained. The soil has unrated erodibility and unrated shrink-swell characteristics, as well as having unrated septic system constraints. The soil is considered Class VIII without irrigation and Class is not rated when irrigated.

Baywood fine sand (9 - 15% slope). This gently to moderately sloping sandy soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: poor filtering. The soil is considered Class VI (non-irrigated) and Class IV (irrigated).

**Impact.** The project is located in a non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

**Mitigation/Conclusion.** No mitigation measures are necessary.



**3. AIR QUALITY***Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>GREENHOUSE GASES</b>				
f) <i>Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Air Pollution Control District (APCD) has developed the 2012 CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

**Greenhouse Gas (GHG) Emissions** are said to result in an increase in the earth's average surface temperature. This is commonly referred to as global warming. The rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system. This is also known as climate change. These changes are now thought to be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

The passage of AB32, the California Global Warming Solutions Act (2006), recognized the need to



reduce GHG emissions and set the greenhouse gas emissions reduction goal for the State of California into law. The law required that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated into the APCD's CEQA Air Quality Handbook. APCD determined that a tiered process for residential / commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

1. Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
2. Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,
3. Efficiency-Based Threshold: Assesses the GHG impacts of a project on an emissions per capita basis.

For most projects the Bright-Line Threshold of 1,150 Metric Tons CO<sub>2</sub>/year (MT CO<sub>2</sub>e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO<sub>2</sub>e/yr was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the California Air Resources Board (or other regulatory agencies) and will be "regulated" either by CARB, the Federal Government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio standards and the Clean Car standards. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions.

Under CEQA, an individual project's GHG emissions will generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation.

**Impact.** As proposed, the project will result in the disturbance of approximately 6,500 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

This project is a trail system at a Nature Preserve. Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as



global climate change, is not 'cumulatively considerable', no mitigation is required. Because this project's emissions fall under the threshold, no mitigation is required.

**Mitigation/Conclusion.** The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur. No mitigation measures are necessary.

#### 4. BIOLOGICAL RESOURCES

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species* or their habitats?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish &amp; Game or U.S. Fish &amp; Wildlife Service?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\* Species – as defined in Section 15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.

**Setting.** The following are existing elements on or near the proposed project relating to potential biological concerns:

On-site Vegetation: Eucalyptus and Cypress Trees, non-native grassland, Herbaceous Wetland, and Wooded Wetland

Name and distance from blue line creek(s): Artificial Path and Intermittent Stream are approximately 200 feet west of the proposed project. Morro Bay Estuary is located directly north of the parcel.

Site's tree canopy coverage: Approximately 35%.

The Natural Diversity Database (or other biological references) identified the following species potentially existing within approximately one mile of the proposed project:

Arroyo de la Cruz manzanita (*Arctostaphylos cruzensis*) List 1B

Arroyo de la Cruz manzanita (*Arctostaphylos cruzensis*) has been found about 0.81 mile to the northeast. This evergreen shrub is generally found growing on sandy soils in broadleaved upland forests, coastal bluff scrub, closed-cone coniferous forests, chaparral, coastal scrub, valley and foothill grassland areas at elevations between 60 and 310 meters (200 to 1,020





feet). It is a California endemic which has a blooming period of December-March. Arroyo de la Cruz manzanita is considered a rare plant by the CNPS (List 1B, RED 2-2-3).

**California seablite (*Suaeda californica*) FE, List 1B**

California seablite (*Suaeda californica*) has been found about 0.47 mile to the west. This evergreen shrub is generally found growing along margins of marsh and swamp (coastal salt) areas at elevations up to 5 meters (16 feet). It is a California endemic which has a blooming period of July-October. California seablite is considered federally endangered and extremely rare by the CNPS (List 1B, RED 3-3-3).

**Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*) List 1B**

Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*) has been found about 0.09 mile to the west. This annual herb is generally found growing along margins of marsh and swamp areas (coastal salt), playas, and vernal pool areas at elevations up to 1,220 meters (4,000 feet). It is a California endemic which has a blooming period of February-June. Coulter's goldfields is considered rare by the CNPS (List 1B, RED 2-3-2).

**Jones's layia (*Layia jonesii*) FSC, List 1B**

Jones's layia (*Layia jonesii*) has been found onsite. This annual herb is found on serpentine or clay soils in chaparral and valley grassland habitats at elevations between 5 and 400 meters (15 to 1,315 feet). Within San Luis Obispo County, this species is known to range primarily from the Cayucos area south to San Luis Obispo. It is a California endemic, with blooming generally occurring in March to May. Jones's layia is federally listed as a Species of Concern, and CNPS considers this species rare (List 1B, RED 3-2-3). The Cal Flora Occurrence Database catalogs 31 historical occurrences of this species within San Luis Obispo County.

**Morro manzanita (*Arctostaphylos morroensis*) FT, List 1B**

Morro manzanita (*Arctostaphylos morroensis*) has been found about 0.81 mile to the northeast. This evergreen shrub is found on sandy loam soils in chaparral (maritime), cismontane woodland, coastal dunes, and coastal scrub habitats between the 5 and 205-meter elevation (15 to 675 feet). The typical blooming period is December-March. Morro manzanita is considered rare by CNPS (List 1B, RED 2-3-3) and federally threatened.

**Marsh (swamp) sandwort (*Arenaria paludicola*) FE, SE, List 1B**

Marsh sandwort (*Arenaria paludicola*) has been found about 0.02 mile to the west. This perennial herb occurs in freshwater marsh habitats (Tibor 2001) up to the 450-meter elevation (1,480 feet). The typical flowering period is May through August. Marsh sandwort is considered federally and state endangered, and extremely rare by CNPS (List 1B, RED 3-3-3).

**Salt marsh bird's-beak (*Cordylanthus maritimus* ssp. *maritimus*) FE, SE, List 1B**

Salt marsh bird's-beak (*Cordylanthus maritimus* ssp. *maritimus*) has been found about 0.15 mile to the west. This annual herb is found in coastal dunes and marshes and swamps up to the 30-foot elevation. The typical blooming period is April-June. Salt marsh bird's-beak is considered rare by CNPS (List 1B, RED 2-2-2) and federally and state-endangered.

**San Luis Obispo Owl-Clover (*Castilleja densiflora* ssp. *obispoensis*) List 1B**

Obispo Indian paintbrush (*Castilleja densiflora* ssp. *obispoensis*) has been found about 0.65 mile to the northeast. This annual herb is found in valley and foothill grasslands at elevations between 10 to 400 meters (30 to 1,315 feet). The blooming period is April. Obispo Indian paintbrush is considered rare by CNPS (List 1B, RED 2-2-3).



**San Luis Obispo (curly-leaved) monardella (*Monardella frutescens*) List 1B**

San Luis Obispo monardella (*Monardella frutescens*) has been found onsite. This perennial herb is found on sandy soils and in stabilized coastal dunes and coastal scrub habitats between the 10 and 200-meter elevations (30 to 660 feet). The species generally blooms from May through September. The CNPS considers this plant to be rare (List 1B, 2-2-3).

**Splitting yarn lichen (*Sulcaria isidiifera*) FSC**

Splitting yarn lichen (*Sulcaria isidiifera*) has been found about 0.21 mile to the northeast. This lichen is found on oak and shrub branches in chaparral and cismontane woodland habitats. Lichen do not flower. Splitting yarn lichen is considered federally a species of Special Concern.

**Animals****California black rail (*Laterallus jamaicensis coturniculus*) ST**

California black rail (*Laterallus jamaicensis coturniculus*) has been found about 0.02 mile to the west. This listed species is considered threatened at the state level. The California black rail inhabits saltwater, brackish, and freshwater marshes. Nesting habitat is characterized by water depths of about one inch that do not fluctuate during the year, and by dense vegetation providing adequate cover. Larger wetlands are more likely to support populations that will exist over time. While the California black rail occurred historically along the coast from Baja California, Mexico north to San Francisco, today, it is found only at several locations within this range, including Morro Bay. Threats to black rail populations fall into three main categories: habitat loss, predation, and contamination. The loss of coastal and interior wetlands has greatly reduced the range of this species and is the principal threat to the California black rail. Impacts to the species include flooding of suitable habitat due to El Niño events, levee and road construction, filling of wetlands, and land subsidence due to groundwater pumping; cattle grazing in Sierra Nevada wetlands inhabited by the rail; habitat loss from invasive non-native plants such as perennial pepperweed and non-native cordgrass; predation by native and non-native animals; and contamination of wetlands by oil refineries, chemical plants, manufacturing, and urban runoff. Documented predators of California black rails include great blue heron, great egret, northern harrier, and owls. The red fox and rats are believed to prey on nests around San Francisco Bay. Predation of black rails can be intense in marshes that lack the transitional vegetation between the high marsh and upland cover.

**California clapper rail (*Rallus longirostris obsoletus*) FE, SE**

California clapper rail (*Rallus longirostris obsoletus*) have been found about 0.16 mile to the northeast. This listed species is considered federally- and state-endangered. Clapper rails can be found primarily in saltwater marshes (sometimes inland freshwater marshes) that support pickleweed and cordgrass, such as Morro Bay. The this non-migratory bird is more common in the San Francisco Bay area, with Morro Bay being the southern edge of the bird's known range. The loss of upper marsh habitat, due primarily to diking, urban development and livestock grazing, has significantly contributed to the decline of this species. The stealing of eggs by the Norway rat has also contributed to the clapper's decline. The "initial" and "late" bird nesting periods are between mid-March and mid-July.

**Cooper's Hawk-General Statement:**

0.81 Miles to the northeast Common bird species occurring in the general area are identified below using standard nomenclature. Typical species that utilize open grassland areas and fields for foraging and/or nesting include red-tailed hawk, red-shouldered hawk, American kestrel, Cooper's hawk, black-shouldered kite, burrowing owl, Western meadowlark, Say's phoebe, and Western bluebird. Riparian habitats support such species as Anna's hummingbird, Northern flicker, scrub jay, bushtit, black phoebe, red-winged blackbird, belted



kingfisher, black-crowned night heron, and American bittern. Woodland and coastal scrub areas provide resources for California quail, acorn woodpecker, brown towhee, dark-eyed junco, and white-breasted nuthatch. Wading birds such as the great blue heron, and snowy and great egrets frequent and utilize freshwater marsh and riparian habitats, as well as open grassland areas for foraging. Telephone poles and tall trees, such as sycamores and cottonwoods provide roosting and hunting perches for raptors including red-tailed and red-shouldered hawks. Windrow trees including eucalyptus, often provide suitable nesting sites for birds of prey such as great horned owls and barn owls. In addition to occurring within their natural habitat, species such as white-crowned sparrow, brewer's blackbird, American crow and yellow-billed magpie are commonly found in developed areas.

#### Monarch butterfly (*Danaus plexippus*)

The Monarch butterfly (*Danaus plexippus*) has been found about 0.05 mile to the west. This species is considered a "threatened phenomenon" by the State and "rare" under CEQA Guidelines Section 15380 because of declining availability of winter roosting habitat. Monarchs from west of the Rocky Mountains spend the winter along the California coast. Overwintering sites typically occur in dense, wind-protected tree groves with eucalyptus (*Eucalyptus* spp.), Monterey pine (*Pinus radiata*), and/or Monterey cypress (*Cupressus macrocarpa*) near the coast from northern Mendocino to Baja California (CNDDB, 2004).

Optional info: [Blue gum eucalyptus (*Eucalyptus globulus*) occurs on the project site.]

#### Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*) FE, SE [see also **Error! Reference source not found.** General Statement]

Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*) has been found about 0.81 mile to the northeast. Morro Bay kangaroo rat is considered federally and state endangered. The species inhabits coastal sage scrub on the south side of Morro Bay. Needs sandy soil, but not active dunes; prefers early seral stages.

#### Morro shoulderband snail (*Helminthoglypta walkeriana*) FE

Morro shoulderband snail (*Helminthoglypta walkeriana*) has been found about 0.65 mile to the north. Morro shoulderband snail is considered federally endangered. There are two forms of the Morro shoulderband snail, the coastal snail and the inland snail. The coastal snail is restricted to the coastal strand and coastal sage scrub habitats in the immediate vicinity of Morro Bay. The coastal form, *H. walkeriana walkeriana*, inhabits the duff beneath mock heather (*Ericameria*), buckwheat (*Eriogonum parvifolium*), mint shrubs (*Salvia* spp.), *Dudleya*, and iceplant (*Mesembryanthemum* spp.). The inland form, *H. walkeriana morroensis*, is found under coastal sage scrub, *Opuntia* cactus, fennel, and grasslands and swales with shrubs that provide canopy and leaf litter.

#### Tidewater goby (*Eucyclogobius newberryi*) FE, CSC

Tidewater goby (*Eucyclogobius newberryi*) has been found about 0.81 mile to the northeast. They are considered federally endangered and a California Species of Special Concern. This species is found in brackish water habitats along the California coast. Microhabitats include shallow lagoons and lower stream reaches. The goby needs fairly still but not stagnant water with high oxygen levels. Suitable habitat within these streams range from the mouths to approximately 1.5 to 2.0 miles upstream. Tidewater goby is threatened by various factors including water quality degradation and low instream flows caused by water diversions and periodic drought.

A Biological Screening and Constraints Analysis was completed in 2008 (SWCA, October 2008) for the site. Habitat areas on the site include non-native grassland, Eucalyptus woodland, emergent



wetland, saltwater marsh, and coast live oak. Two drainages border the property on the east and west. These drainages contain emergent wetland vegetation and are likely federal and state jurisdictional wetlands. No trails or public amenities are proposed in these wetland areas. Two special-status plant species were observed on the project site, Blochman's leafy daisy and California seablite. Saltmarsh bird's-beak occurs at West Sweet Springs. The site supports suitable habitat for nesting migratory bird species and tree roosting bat species. Signs of previous presence for Morro shoulderband snail were observed; shells were found on the site. Also, an individual Cooper's hawk was observed during the site visit.

The subject site is in the range of the Morro shoulderband snail, a federally listed species. Surveys for Morro shoulderband snail, consistent with the U.S. Fish and Wildlife Service's protocol, were conducted on the project site between December 16, 2008 and February 17, 2009 (SWCA, March 2009). Forty-four live Morro shoulderband snails and thirty-three empty Morro Shoulderband snail shells were identified at the site. Most of these occurrences were concentrated in and directly adjacent to remnant coastal scrub and woody debris piles located at the northern and southern ends of the property. The Survey recommended that Morro Coast Audubon Society prepare a Recovery Action Plan for MSS.

Funding to purchase and protect the site was provided in part by the US Fish and Wildlife Service for protection of wetlands and habitat for the Morro shoulderband snail. Morro Coast Audubon Society has secured a Recovery Permit through the US Fish and Wildlife Service. The Recovery Permit is memorialized in the Morro Shoulderband Snail Recovery Action Plan for the Sweet Springs Nature Preserve (SWCA, 2011). The Plan provides guidance on removal of non-native invasive plant species within the Preserve and restoration of disturbed areas to natural conditions. As stated in the Recovery Plan, successful implementation of the plan will improve habitat quantity and quality for the federally endangered Morro shoulderband snail and will enhance existing populations of special-status plant species within the Preserve. Morro Coast Audubon Society is actively working on restoration activities (removal of veldt grass and replacement with natives which does not require a land use permit)

The Recovery Plan states that the Preserve supports the following special status species: Morro shoulderband snail, California seablite, Blochman's leafy daisy, sand almond, Leopold's rush, saltmarsh bird's beak, marsh sandwort (planted population), Morro manzanita, and suffrutescent wallflower

Public access improvements will allow the public into sensitive habitat areas, however the provision of trails will help define the public use area and reduce intrusion impacts (into sensitive areas) and trampling of vegetation. A boardwalk will be installed in highly sensitive areas, to limit impacts to sensitive habitat areas.

**Impact.** The applicant has applied for and received a Recovery Permit for the federally endangered Morro shoulderband snail. The project site does support sensitive native vegetation, significant wildlife habitats, and special status species. Construction of the trails has the potential to impact sensitive habitats. The incorporation of minimization measures will lessen impacts to the sensitive habitats and species.

**Mitigation/Conclusion.** Implementation of the following mitigation measures (as described in detail in Exhibit – B) will reduce potential biological impacts to less than significant levels:

- Ground disturbing activities will be restricted to the dry season (June 1 through October 31);
- Preconstruction surveys for Morro shoulderband snail shall be conducted prior to any ground disturbance;
- Exclusion (e.g., silt) fencing shall be installed under the direction of a qualified biologist prior to any site disturbance activities to ensure that areas occupied by live MSS are not affected; and



- A biologist in possession of a valid recovery permit for Morro shoulderband snail will be retained to monitor construction activities.
- Environmental awareness training for all construction workers at the site.

## 5. CULTURAL RESOURCES

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb archaeological resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historical resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area. The project is adjacent to Estero Bay and two drainages border the site. Potential for the presence or regular activities of the Native American increases in close proximity to reliable water sources.

**Impact.** A Phase I (surface) survey was conducted (Bertando and Bertrando, October 2009). Prehistoric cultural material, including marine shell, bone, fire affected rocks and chipped stone debris were observed over most of the parcel. Although archaeological material was found over most of the property, surface densities and material types varied over the project area.

Marine shell was concentrated in the northern (downslope) portions of the project area associated with SLO-812 with a secondary concentration appearing in the southern section of the site, associated with SLO-829. The proposed construction activities of the site have the potential to impact the resources associated with SLO-812 and SLO-829.

Impacts to historical or paleontological resources are not expected.

**Mitigation/Conclusion.** The archaeologist states that construction and maintenance of trails is considered to have a low impact on cultural resources and result in minimal site disturbance. The trail was reduced in size in the sensitive cultural areas (per the archaeologist's recommendation); a loop trail was modified to a linear trail. The archaeologist recommended monitoring of all trail construction within sensitive cultural areas (the northern and southern portions), mitigation for any subsurface disturbance to the archaeological deposit (if soils are removed for piers or platform foundations then the soil shall be excavated, screened, and processed), and cultural resource training for all labor crews constructing the trail. MCAS is proposing minimal soil disturbance in sensitive areas and a 'floating' boardwalk (no footings in the ground). Implementation of the following mitigation measures will reduce potential archaeological impacts to less than significant levels:

- The applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator.
- The applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan.
- The consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation



measures have been met.

- All labor crews shall be trained on the identification of archaeological remains and instructed in the proper steps to take in the event archaeological remains are exposed.

## 6. GEOLOGY AND SOILS

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\* Per Division of Mines and Geology Special Publication #42

**Setting.** The following relates to the project's geologic aspects or conditions:

Topography: Gently sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Moderate to high

Nearby potentially active faults?: Yes: Los Osos Fault Distance? On Site

Area known to contain serpentine or ultramafic rock or soils?: No

Shrink/Swell potential of soil: Low

Other notable geologic features? None

Los Osos Fault



The Los Osos fault zone is a west-northwest-trending reverse fault that extends predominantly along the northeastern margin of the San Luis Range in San Luis Obispo County. The fault zone, which has an overall length of about 35 miles, is divided into four segments. The most westerly segment of the fault is the Estero Bay segment, which lies mostly offshore. The Irish Hills segment, the only active fault segment, starts in the vicinity of Los Osos and extends to just past San Luis Obispo Creek. A two-mile length of the Irish Hills segment, west of Laguna Lake and near the westerly limit of the City of San Luis Obispo, is considered to be active (Treiman, 1989) and is designated as an Alquist-Priolo Earthquake Fault Zone (Hart, 1997, revised). The other two segments of the Los Osos fault are the Lopez Reservoir segment and the Newsome Ridge segment, both located southeast of the Irish Hills segment, east of San Luis Obispo Creek. The active Irish Hills fault segment is approximately nine miles northwest. According to the San Luis Obispo County General Plan Safety Element (the Safety Element), the Los Osos fault has the potential to generate an earthquake with a maximum moment magnitude (Mw) of 6.75.

For areas where drainage is identified as a potential issue, the Land Use Ordinance (CZLUO Sec. 23.05.042) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** – Soil type, amount of disturbance and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the the project's soil erodibility is as follows:

When highly erosive conditions exist, a sedimentation and erosion control plan is required (CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

The project is within a high liquefaction area, and is subject to the preparation of a geological report per the County's Land Use Ordinance (CZLUO section 23.07.084(c)) to evaluate the area's geological stability. A geological report was not conducted for this project, as the project is proposed public access improvements and no structures are proposed.

**Impact.** As proposed, the project will result in the disturbance of approximately 6,500 square feet. The project proposes minimal disturbance of the site to provide public access improvements.

**Mitigation/Conclusion.** There is no evidence that measures above what will already be required by ordinance or codes are needed.

## 7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



## 7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impair implementation or physically interfere with an adopted emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire. The project is not within the Airport Review area.

**Impact.** The project does not propose the use of hazardous materials, nor the generation of hazardous wastes. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional emergency response or evacuation plan.

**Mitigation/Conclusion.** No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.





**8. NOISE***Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate permanent increases in the ambient noise levels in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Cause a temporary or periodic increase in ambient noise in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences). Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

**Impact.** The project is not expected to generate loud noises, nor conflict with the surrounding uses.

**Mitigation/Conclusion.** No significant noise impacts are anticipated, and no mitigation measures are necessary.

**9. POPULATION/HOUSING***Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



**9. POPULATION/HOUSING***Will the project:*Potentially  
SignificantImpact can  
& will be  
mitigatedInsignificant  
ImpactNot  
Applicabled) *Other:* \_\_\_\_\_☐☐☐☐

**Setting** In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

**Impact.** The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated. No mitigation measures are necessary.

**10. PUBLIC SERVICES/UTILITIES**

*Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*

Potentially  
SignificantImpact can  
& will be  
mitigatedInsignificant  
ImpactNot  
Applicablea) *Fire protection?*☐☐☒☐b) *Police protection (e.g., Sheriff, CHP)?*☐☐☒☐c) *Schools?*☐☐☒☐d) *Roads?*☐☐☒☐e) *Solid Wastes?*☐☐☒☐f) *Other public facilities?*☐☐☒☐g) *Other:* \_\_\_\_\_☐☐☐☐

**Setting.** The project area is served by the following public services/facilities:

Police: County Sheriff

Location: Los Osos (Approximately .6 miles to the east)

Fire: Cal Fire (formerly CDF)

Hazard Severity:

Response Time: 0-5 min

Location: Approximately 1 mile to the south east

School District: San Luis Coastal Unified School District.

**Impact.** No significant project-specific impacts to utilities or public services were identified. The project will provide public access improvements and will not impact public services or utilities.

**Mitigation/Conclusion.** No significant public services / utility impacts are anticipated. No mitigation measures are necessary.



**11. RECREATION**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The County's Parks and Recreation Element does not show a potential trail through the proposed project. The project proposes an expansion of Sweet Springs Nature Preserve and will provide public trails and opportunities for nature study.

**Impact.** The proposed project will not create a significant need for additional park, Natural Area, and/or recreational resources.

**Mitigation/Conclusion.** No significant recreation impacts are anticipated, and no mitigation measures are necessary.

**12. TRANSPORTATION/CIRCULATION**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Level of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Conflict with an applicable congestion management program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



**12. TRANSPORTATION/CIRCULATION**Potentially  
SignificantImpact can  
& will be  
mitigatedInsignificant  
ImpactNot  
Applicable*Will the project:*h) **Result in a change in air traffic patterns that may result in substantial safety risks?**☐☐☒☐i) **Other:** \_\_\_\_\_☐☐☐☐

**Setting.** The county has established the acceptable Level of Service (LOS) on roads for this [urban area as "D" or better] [rural area as "C" or better]. The existing road network in the area (is better than D), including the project's access street, Ramona Avenue is operating at an acceptable level. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable.

A referral was sent to Public Works. No significant traffic-related concerns were identified.

**Impact.** The proposed project is estimated to generate minimal traffic, as the project will be connected to the existing Sweet Springs Nature Preserve. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels. The project does not conflict with adopted policies, plans and programs on transportation.

**Mitigation/Conclusion.** No significant traffic impacts were identified, and no mitigation measures above what are already required by ordinance are necessary.

**13. WASTEWATER**Potentially  
SignificantImpact can  
& will be  
mitigatedInsignificant  
ImpactNot  
Applicable*Will the project:*a) **Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?**☐☐☒☐b) **Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?**☐☐☒☐c) **Adversely affect community wastewater service provider?**☐☐☒☐d) **Other:** \_\_\_\_\_☐☐☐☐

**Setting.** The project site is located in the community of Los Osos. In 1988, the California Regional Water Quality Control Board imposed a moratorium on new sources of sewage discharge in most of the community of Los Osos. The project proposes an expansion of Sweet Springs Nature Preserve with additional public access improvements. No bathrooms are proposed. No septic system is proposed.

**Impacts/Mitigation.** No significant impacts to wastewater were identified, and no mitigation measures are necessary.



**14. WATER & HYDROLOGY***Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<b>QUALITY</b>				
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Change rates of soil absorption, or amount or direction of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Involve activities within the 100-year flood zone?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>QUANTITY</b>				
h) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure, etc.), or inundation by seiche, tsunami or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project proposes to use a water delivery system. Water delivery is only needed for the establishment of native plants and is currently occurring.

The water source is the Los Osos groundwater basin. The Board of Supervisors has certified a Level of Severity III for the Basin on March 27, 2007. On April 22, 2008, the Board of Supervisors approved two plumbing retrofit ordinances for the Los Osos area. The ordinances address sea water intrusion into the lower aquifer zone of the Los Osos Groundwater Basin. To manage this serious problem, the ordinances require both new and existing development to help address this problem by retrofitting



older, non-conserving toilets and showerheads with those that are water efficient. The ordinances went into effect May 22, 2008.

Ground water production from the basin overall increased steadily from 1978 to 1988 when the Regional Water Quality Control Board imposed a prohibition on new septic system discharges. Since 1988, growth of new residential units in Los Osos has been only about a quarter of a percent per year. Water production has remained stable since then, varying from year to year primarily in response to weather conditions rather than to urban growth.

The Los Osos Community Services District (LOCSD) Water Management Plan, completed in July 2005, provides an estimate of safe yield for the lower and upper aquifers - 1300 afy for the lower aquifer and 1150 afy for the upper aquifer. An additional 800 afy is available from the Los Osos Creek Valley, for a total basin safe yield of 3250 afy. Total basin demand is currently estimated at approximately 3,400 afy. Therefore, the demand exceeds safe yield with a current deficit of approximately 150 afy. Safe Yield in the lower aquifer is currently being exceeded by 650 afy, causing seawater intrusion in the lower aquifer.

The Management Plan also estimates the water demand at buildout for the combined service areas of the community's three principal water purveyors, compared to the estimated safe yield of the groundwater basin. Buildout demand is estimated to be 3,000 afy for the three purveyors compared to a safe yield of only 2250 afy without a wastewater system or 2630 afy with a wastewater system. Thus, assuming construction of a wastewater system, buildout demand would exceed the safe yield by 370 afy. This deficit would have to be made up by a combination of water conservation, wastewater reclamation and supplemental water.

The project proposes to obtain its water needs from water delivery. Water is only needed for plant restoration activities (initially to establish the new plants). The public access improvements associated with the expansion of Sweet Springs will not need water.

The topography of the project is nearly level. The closest creek from the proposed development is approximately 2 miles away, the site is adjacent to the Estero bay. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County's Land Use Ordinance requires that temporary erosion and sedimentation measures to be installed.

**DRAINAGE** – The following relates to the project's drainage aspects:

Within the 100-year Flood Hazard designation? Yes

Closest creek? Artificial Path and Intermittent Stream (Unnamed) Distance? Approximately 110 feet

Soil drainage characteristics: Well Drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110 or CZLUO Sec. 23.05.042) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** – Soil type, area of disturbance, and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are



listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the project's soil erodibility is as follows:

Soil erodibility: Low

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120, CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

### **Impact – Water Quality/Hydrology**

With regards to project impacts on water quality the following conditions apply:

Approximately 6,500 square feet of site disturbance is proposed. All disturbed soils will be revegetated.

### **Water Quantity**

Based on the project description, there is no water usage (except for a minimal amount to establish new native plants). This is not a significant amount of water. Once the plants are established, water will not be needed.

**Mitigation/Conclusion.** As specified above for water quality, existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project. No additional measures above what are required or proposed are needed to protect water quality.

Based on the proposed amount of water to be use and the water source, no significant impacts from water use are anticipated.

## **15. LAND USE**

*Will the project:*

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



**15. LAND USE***Will the project:*

Inconsistent

Potentially  
Inconsistent

Consistent

Not  
Applicable

e) Other: \_\_\_\_\_

☐☐☐☐

**Setting/Impact.** Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used). The public access improvements will be located within 75 feet of the Estuary and wetlands on site. Additionally the public access improvements will be located within unmapped Terrestrial Habitat (habitat for Morro shoulderband snail). Passive recreation is allowed within the required setbacks for Environmentally Sensitive Habitat Areas (ESHA) and therefore the project is consistent with both the Estero Area Plan and Coastal Zone Land Use Ordinance and Coastal Plan Policy ESHA policies and standards.

The project is within a Habitat Conservation Plan area, however the project is the subject of a Recovery Permit for the Morro shoulderband snail (the subject of the Habitat Conservation Plan). The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

**Mitigation/Conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required were determined necessary.

**16. MANDATORY FINDINGS OF SIGNIFICANCE***Will the project:*Potentially  
SignificantImpact can  
& will be  
mitigatedInsignificant  
ImpactNot  
Applicable

- a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?* ☐ ☒ ☐ ☐
- b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)* ☐ ☐ ☒ ☐
- c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?* ☐ ☒ ☐ ☐





For further information on CEQA or the county's environmental review process, please visit the County's web site at "[www.sloplanning.org](http://www.sloplanning.org)" under "Environmental Information", or the California Environmental Resources Evaluation System at: [http://www.ceres.ca.gov/topic/env\\_law/ceqa/guidelines](http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines) for information about the California Environmental Quality Act.



**Exhibit A - Initial Study References and Agency Contacts**

The County Planning or Environmental Divisions have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<b>Contacted</b>	<b>Agency</b>	<b>Response</b>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input type="checkbox"/>	County Environmental Health Division	Not Applicable
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input checked="" type="checkbox"/>	CA Coastal Commission	None
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	Attached
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Other Los Osos Adviosry Council	Attached
<input type="checkbox"/>	Other	Not Applicable

**\*\* "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> Estero Area Plan and Update EIR
<u>County documents</u>	<input checked="" type="checkbox"/> Los Osos Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other
<input type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	



In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

**Biological Screening and Constraints Analysis, prepared by SWCA, October 7, 2008**

**Morro Shoulderband Snail Protocol Survey Report, prepared by SWCA, March 21, 2009**

**Morro shoulderband Snail Recovery Action Plan for the Sweet Springs Nature Preserve, Los Osos, San Luis Obispo County, California, prepared by SWCA, June 2011**

**Cultural Resource Inventory of the Eight Acre Expansion of the Sweet Springs Nature Preserve, Bertrando and Bertrando Research Consultants, October 30, 2009**



**Exhibit B - Mitigation Summary Table****Biological Resources**

- BR-1 **All ground disturbing activities** will be restricted to the dry season (June 1 through October 31) when Morro shoulderband snails (MSS) are typically inactive and less likely to move into the construction area.
- BR-2 Preconstruction surveys for Morro shoulderband snail shall be conducted **prior to any ground disturbance** in those areas to be affected by grading and other construction-related activities.
- BR-3 **Prior to site disturbance**, exclusion fencing shall be installed under the direction of a qualified biologist to ensure that areas occupied or potentially occupied by Morro shoulderband snail are not impacted. The fence will remain in place throughout the duration of the project.
- BR-4 A qualified biologist shall monitor construction activities to ensure that Morro shoulderband snail have not moved into the construction site during mist conditions such as heavy dew, fog, or rain., In the event such conditions occur, the biologist shall conduct another pre-activity survey prior to resumption of work. The Service will be contacted immediately if Morro shoulderband snails are located in the construction areas during such surveys. Construction shall not be resumed until all Morro shoulderband snail issues have been resolved.
- BR-5 **Prior to site disturbance**, an environmental awareness training shall be conducted for all construction workers at the site. The Environmental Awareness training shall be conducted by a qualified biologist.

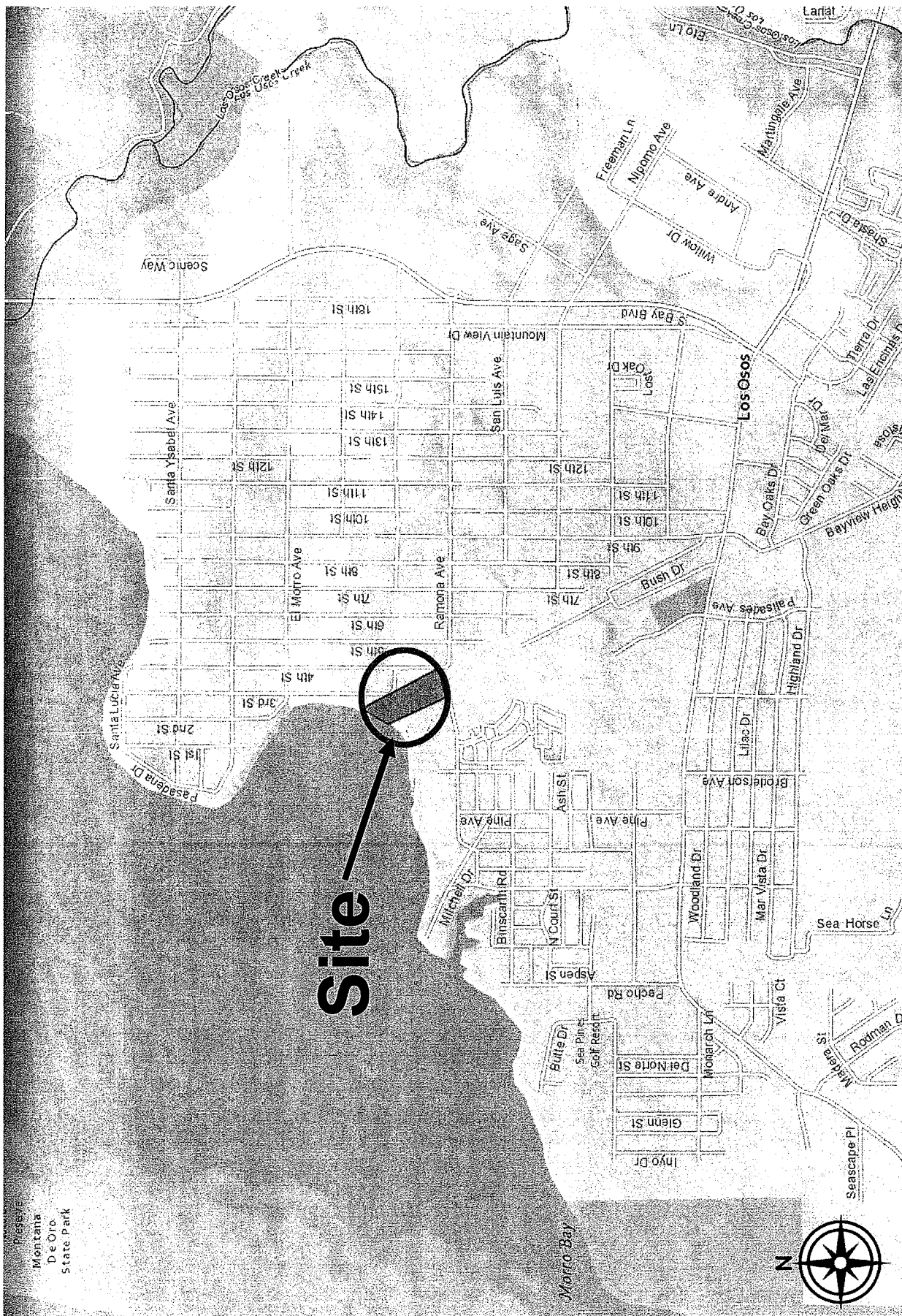
**Cultural Resources**

- CR-1 **Prior to issuance of construction permit**, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
- A. List of personnel involved in the monitoring activities;
  - B. Description of how the monitoring shall occur;
  - C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
  - D. Description of what resources are expected to be encountered;
  - E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
  - F. Description of procedures for halting work on the site and notification procedures; and
  - G. Description of monitoring reporting procedures.
- CR-2 **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

- CR-3 **Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first)**, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. If the Phase III program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis.
- CR-4 **Prior to ground disturbing activities**, all labor crews shall be trained on the identification of archaeological remains and instructed in the proper steps to take in the event archaeological remains are exposed. The training shall be conducted by a qualified archaeologist.







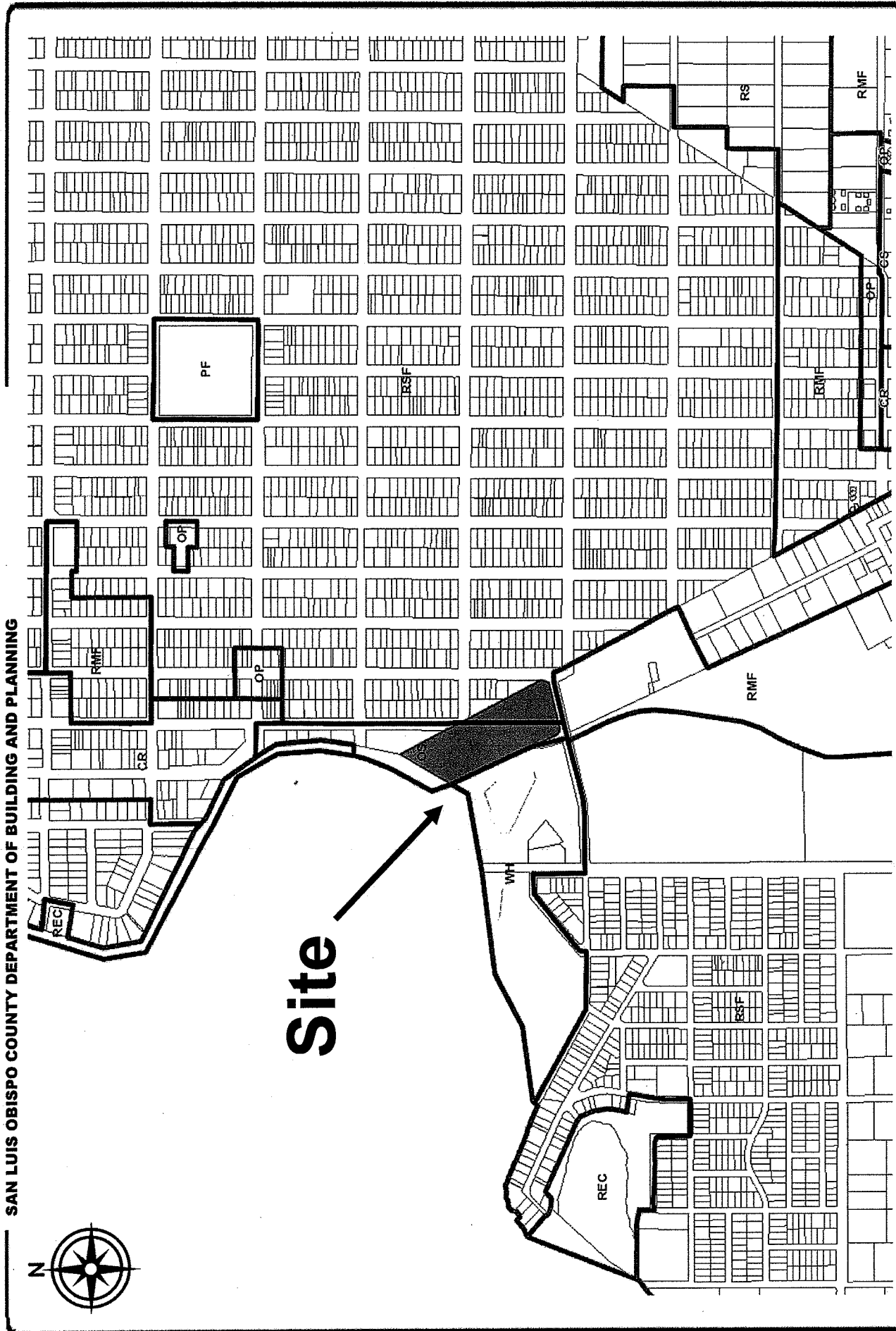
EXHIBIT

Vicinity Map



PROJECT

Minor Use Permit  
MCAS DRC2011-00013



EXHIBIT

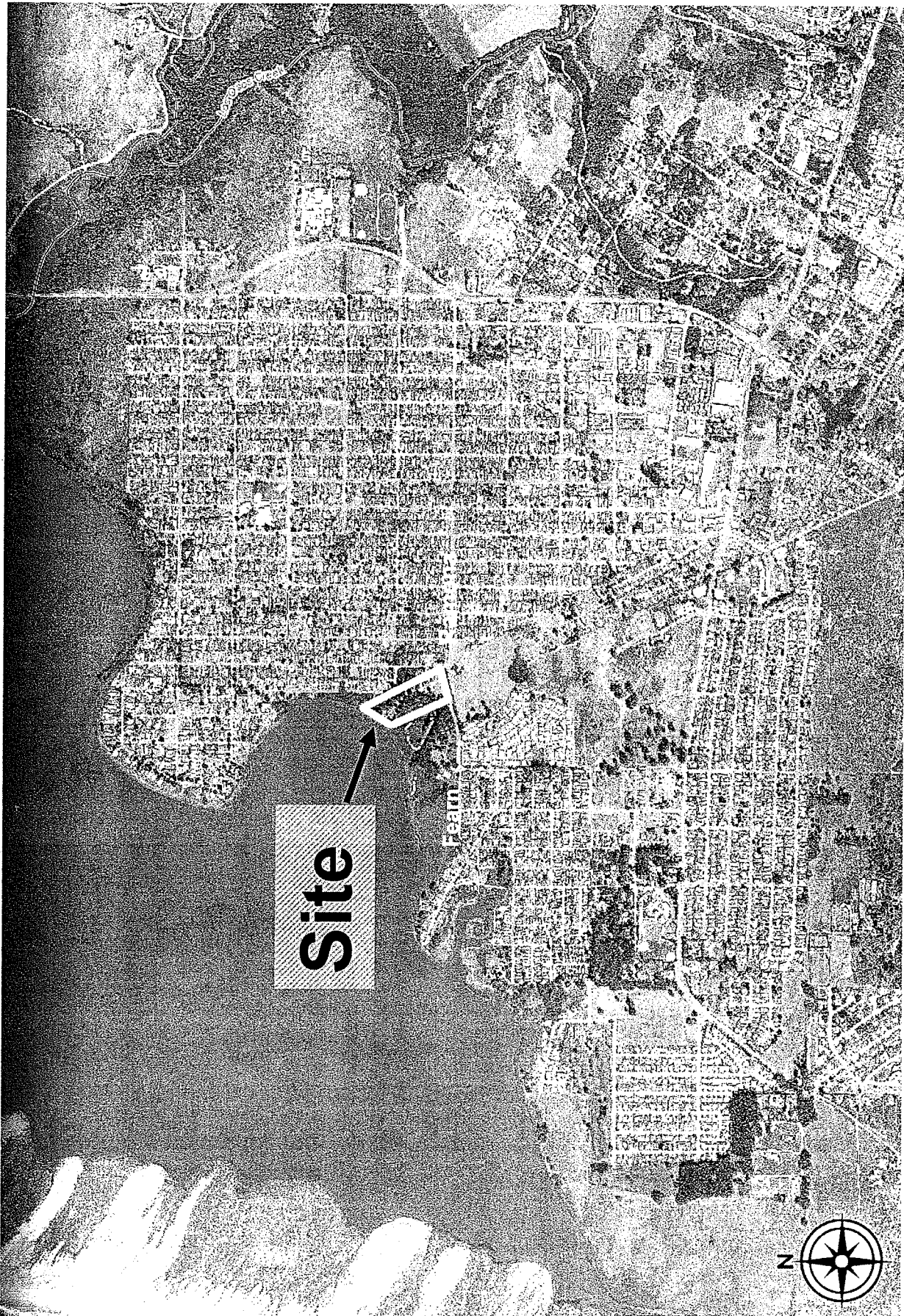
Land Use Category Map



PROJECT

Minor Use Permit  
MCAS DRC2011-00013





PROJECT

Minor Use Permit  
MCAS DRC2011-00013



EXHIBIT

Aerial Photograph

# MINOR USE PERMIT for morro coast audubon society EAST SWEET SPRINGS PUBLIC ACCESS & HABITAT ENHANCEMENT

## project data

**Project Description**  
The Morro Coast Audubon Society (MCAS) is a non-profit organization dedicated to the conservation and restoration of the Morro Coast area. The project, titled "East Sweet Springs Public Access & Habitat Enhancement," aims to improve public access to the Morro Coast area and enhance the habitat for various bird species. The project area is located on the Morro Coast, near the intersection of Highway 1 and Highway 101. The project area is currently a mix of undeveloped land and existing public access areas. The project will involve the construction of a new public access trail, the removal of existing barriers to access, and the enhancement of the habitat for various bird species. The project is expected to be completed by the end of 2011.

**Landowner**  
Morro Coast Audubon Society  
Contact: Steven L. Latta - President  
Address: 1000 Highway 101, Suite 100, Morro Bay, CA 94032  
Phone Number: (805) 775-1491

**Agent**  
The project is being managed by the Morro Coast Audubon Society. The project is being managed by the Morro Coast Audubon Society. The project is being managed by the Morro Coast Audubon Society.

**Project Location**  
The project is located on the Morro Coast, near the intersection of Highway 1 and Highway 101. The project area is currently a mix of undeveloped land and existing public access areas. The project will involve the construction of a new public access trail, the removal of existing barriers to access, and the enhancement of the habitat for various bird species. The project is expected to be completed by the end of 2011.

**Project Objectives**  
The project has several objectives, including:  
1. To improve public access to the Morro Coast area.  
2. To enhance the habitat for various bird species.  
3. To provide educational opportunities for the public.  
4. To protect the natural resources of the Morro Coast area.

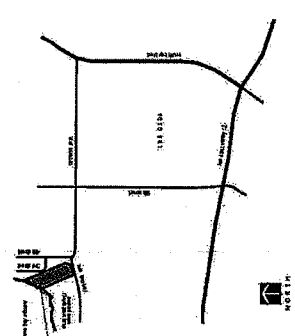
## sheet index

Sheet	Description
MS-1	Project Description
MS-2	Project Location
MS-3	Project Objectives
MS-4	Project Management
MS-5	Project Budget
MS-6	Project Timeline
MS-7	Project Risks
MS-8	Project Conclusion

## project directory

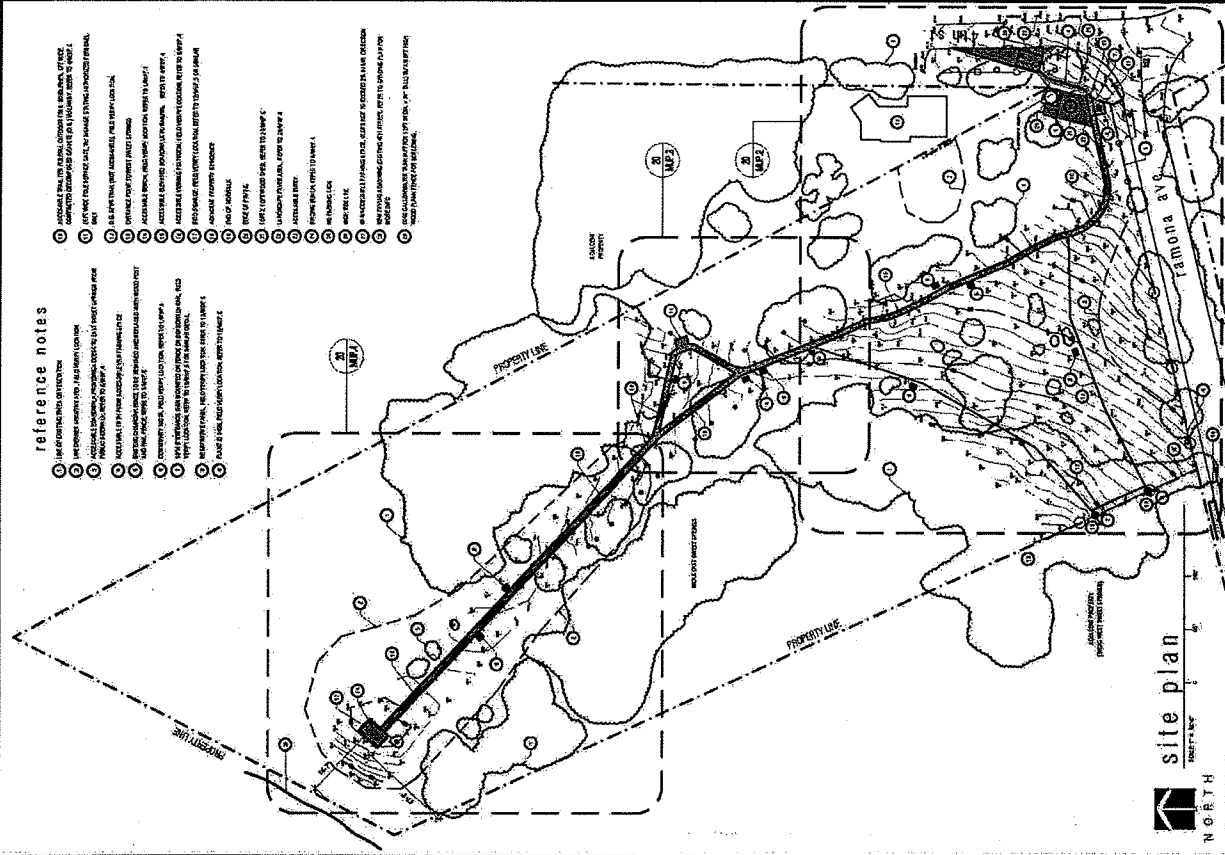
Organization	Contact	Address	Phone
Morro Coast Audubon Society	Steven L. Latta	1000 Highway 101, Suite 100, Morro Bay, CA 94032	(805) 775-1491
San Luis Obispo County Department of Building and Planning	John A. Smith	1000 Highway 101, Suite 100, Morro Bay, CA 94032	(805) 775-1491
San Luis Obispo County Department of Public Works	John A. Smith	1000 Highway 101, Suite 100, Morro Bay, CA 94032	(805) 775-1491
San Luis Obispo County Department of Parks and Recreation	John A. Smith	1000 Highway 101, Suite 100, Morro Bay, CA 94032	(805) 775-1491

## vicinity map



## reference notes

1. The project area is located on the Morro Coast, near the intersection of Highway 1 and Highway 101.
2. The project area is currently a mix of undeveloped land and existing public access areas.
3. The project will involve the construction of a new public access trail, the removal of existing barriers to access, and the enhancement of the habitat for various bird species.
4. The project is expected to be completed by the end of 2011.
5. The project is being managed by the Morro Coast Audubon Society.
6. The project is being managed by the Morro Coast Audubon Society.
7. The project is being managed by the Morro Coast Audubon Society.
8. The project is being managed by the Morro Coast Audubon Society.
9. The project is being managed by the Morro Coast Audubon Society.
10. The project is being managed by the Morro Coast Audubon Society.



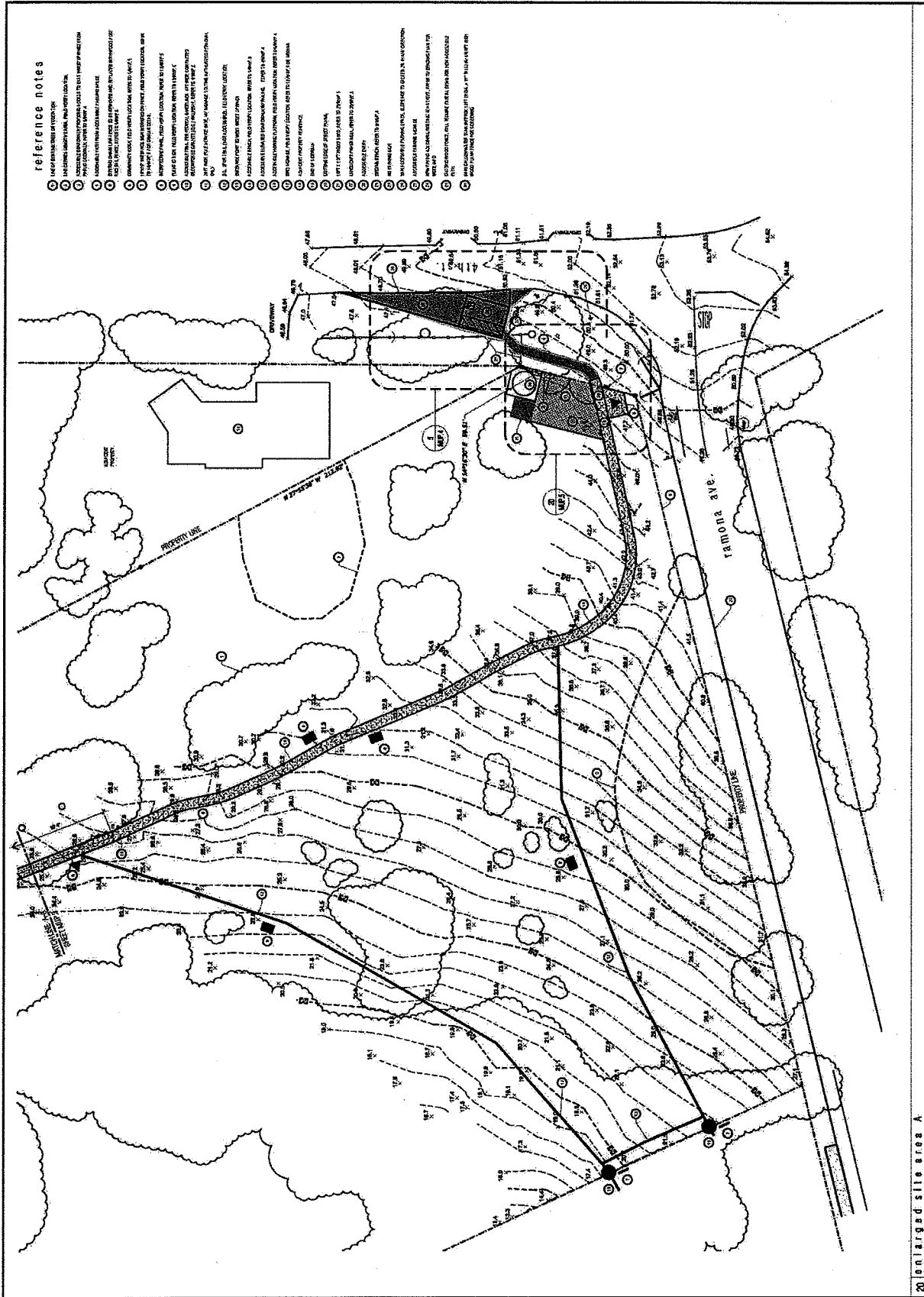
## PROJECT

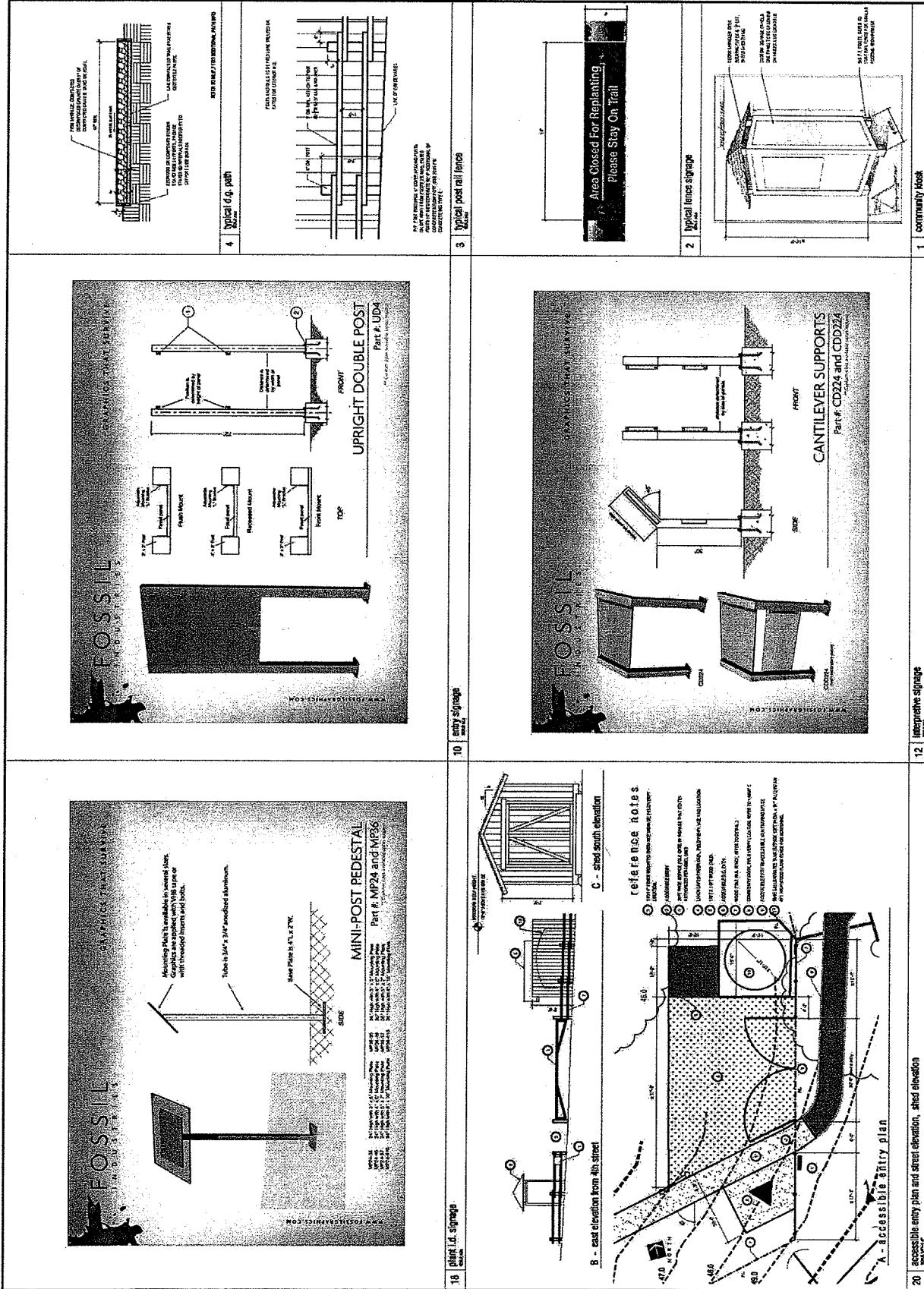
Minor Use Permit  
MCAS DRC2011-00013

## EXHIBIT

## Site Plan







**PROJECT**  
Minor Use Permit  
MCAS DRC2011-00013

**EXHIBIT**  
Elevations & Signage

